

Creighton  
UNIVERSITY

STUDENT  
HANDBOOK

2021-2022



# CREIGHTON UNIVERSITY STUDENT HANDBOOK 2021-2022

## TABLE OF CONTENTS

### INTRODUCTION

### WELCOME

### THE MISSION STATEMENT OF CREIGHTON UNIVERSITY

### THE CREIGHTON UNIVERSITY STUDENT CREDO

### STUDENT ACCOUNTABILITY

1. Act with professional, academic, and personal integrity
2. Respect and promote the dignity of all persons
3. Respect the policies and procedures of the Creighton University community and the rights of its members both on and off campus, as well as the just laws of the civic community and the rights of its members
4. Support the personal, professional, academic, and vocational development of the members of the Creighton University Community
5. Values Statement
6. Purpose of Student Accountability
7. Obligations of a Student
8. Inherent Authority
9. Behavioral Misconduct Procedures
10. Retention of Disciplinary Record and Record Check
11. Academic Honesty Policy
12. Academic Misconduct Procedures

### ACADEMIC INFORMATION

1. Confidentiality and Privacy of Student Records
2. Location, Types and Custody of Educational Records
3. General Regulations
4. Withdrawal from the University

### STUDENT LIFE DEPARTMENTAL POLICIES

### RESIDENTIAL LIFE EXPECTATIONS

#### Community Standards in Residence Halls

1. Addressing a Policy Violation
2. Incident Reports
3. Meeting with a Member of the Student Life Staff
4. Disciplinary Outcomes

### OFF-CAMPUS LIVING

## UNIVERSITY POLICIES APPLICABLE FOR STUDENTS

- A.** Abortion Policy
- B.** Alcohol and the Creighton Student
  - 1. Creighton's Approach to Alcohol Education
  - 2. Alcohol and the Body
  - 3. Creighton University's Alcohol Policies
  - 4. Track to Recovery from Alcohol Abuse at Creighton (TRAAC)
  - 5. Good Samaritan Provision
  - 6. On-Campus Alcohol Use
  - 7. Off-Campus Alcohol Use
  - 8. Violations
  - 9. Douglas County (Omaha) and Nebraska State Laws Regarding Alcohol
  - 10. Guidelines for the Promotion of Events Where Alcohol Will Be Served
- C.** Children and Vulnerable Adults
- D.** Communicable Diseases
- E.** Contraceptives Policy
- F.** Discriminatory Harassment
- G.** Diversity and Inclusion
- H.** Domestic and International Travel Policy
- I.** Drug Use
  - 1. Health Effects
  - 2. Creighton Policy
  - 3. Douglas County (Omaha) and Nebraska State Laws Regarding Controlled Substances
  - 4. Off-campus Drug Use
  - 5. Use and Possession of Mind-Altering Substances
- J.** Electioneering
- K.** Fair, Responsible, and Acceptable Use Policy for Electronic Resources
  - 1. Scope
  - 2. Policy
- L.** Fleeing Student Policy
- M.** Food on Campus
- N.** Freedom of Expression and Active Dialogue
- O.** Fundraising
- P.** Gambling Policy
- Q.** Group Activity / Demonstrations
- R.** Harassment
- S.** Hazing and Initiation
- T.** Immunization Requirements
- U.** Indebtedness to the University
- V.** Insurance Requirement
- W.** Mandatory Reporters
- X.** Missing Students Notification Policy
  - Designation of Emergency Contact Person
  - Where to Report a Missing Student?
  - Emergency Notification Procedures
- Y.** Non-Discrimination Policy
  - Purpose of the Policy
- Z.** Nondiscrimination Statement
- AA.** Official Means of Communication
- BB.** On Campus Posting Policy
- CC.** One Bed, One Body Policy
- DD.** Respect for the Dignity of the Person
- EE.** Retaliation

**FF.** Romantic or Intimate Relationship

**GG.** Searches

**HH.** Student Complaint Policy

**II.** Title IX Sexual Harassment  
Purpose of the Policy

**JJ.** Tobacco-Free Policy

**KK.** Weapons on Campus

## **STUDENT BEHAVIORAL MISCONDUCT PROCESS**

### Behavioral Community Standards

- Standard of Conduct #1: Act with professional, academic, and personal integrity
- Standard of Conduct #2: Respect and promote the dignity of all persons
- Standard of Conduct #3: Respect the policies and procedures of the Creighton University community and the rights of its members both on and off campus, as well as the just laws of the civic community and the rights of its members
  - Alcohol
  - Drugs
  - Community Responsibilities
  - Safety
- Standard of Conduct #4: Support the personal, professional, academic, and vocational development of the members of the Creighton University Community

### Behavioral Misconduct Procedures

1. Preliminary Conferences
2. Hearings
3. Advisor
4. Parent Notification
5. Temporary Disposition
6. Referral for Prosecution

#### **A.** The University Committee on Student Discipline

1. Purpose
2. Membership
3. Voting
4. Conflict of Interest

#### Procedures of Student Discipline Committee Hearings

#### Decisions of the Committee and Communicating the Decision

- Administrative Follow-up After the Hearing

#### Procedures Pertaining to Anonymity in Hearings Before the Committee on Student Discipline

#### Appeal Process for Decisions of the Committee on Student Discipline

- Grounds for Appeal
- Severity of Outcome
- Filing the Appeal
- Appeal Deadlines and Expectations

#### **B.** Standards Panel

1. Purpose
2. Membership
3. Procedures of Standards Panels
4. Procedures Pertaining to Anonymity
5. Grounds for Appeal
6. Appeal Deadlines and Expectations
7. Considerations and Determination of the Appeal

#### **C.** Community Standards Board

1. Purpose
2. Membership on the Community Standards Board
3. Voting
4. Procedures of Board Hearings
5. Procedures Pertaining to Anonymity
6. Grounds for Appeal
7. Appeal Deadlines and Expectations
8. Considerations and Determination of the Appeal
- Disciplinary Outcomes – Individual Students
  1. Accountability Outcomes
    - i. Expulsion
    - ii. Suspension
    - iii. Behavioral Probation
    - iv. Social Probation
    - v. Behavioral Reprimand
  2. Responsibility Outcomes
    - vi. Restitution
    - vii. Fines
    - viii. Denial of Access or Restriction of Access to a University Building or Facility
    - ix. Alcohol Restrictions
    - x. Other Outcomes
- D. Student Organization Behavioral Misconduct
  1. Notice to the University
  2. Self-reporting of Individual Misconduct and Amnesty
  3. Resolution Options
  4. SLIC Decision Process
  5. Preliminary Conference Meeting and Investigation
  6. Hearings
  7. Formal Investigation and Board/Panel Decision Procedures
  8. Appeals
- E. Fraternity and Sorority Life Standards Board
  1. Purpose
  2. Members
  3. Voting
  4. Non-recruitment Hearing
  5. Recruitment-related Hearing
  6. Procedures Pertaining to Anonymity
  7. Appeal Procedures
  8. Appeal Deadlines
  9. Organization's Status During Appeal
  10. Considerations and Determination of the Appeal
- Disciplinary Outcomes – Student Organizations
  1. Accountability Outcomes
    - i. Expulsion
    - ii. Suspension
    - iii. Behavioral Probation
    - iv. Social Probation
    - v. Behavioral Reprimand
  2. Responsibility Outcomes
    - i. Restitution
    - ii. Fines
    - iii. Denial of Access or Restriction of Access to a University Building or Facility
    - iv. Alcohol Restrictions
    - v. Other Outcomes
- F. Glossary of Terms

## INTRODUCTION

### Creighton University 2021–2022 Student Handbook

**This publication contains the most current information available as of the date of publication. However, none of the university's policies, procedures, or practices, including those set forth in this handbook, are to be viewed as a contract or as making any promises or as creating any contractual rights of any kind. Rather, they are guidelines which are subject to the university's interpretation, and which can be suspended or changed by the university at its discretion at any time and without prior notice or agreement. Where this handbook conflicts with college, school or program handbooks or policies, this handbook will supersede those handbooks or policies. Changes are effective on publication. This publication and addenda supersede all previous editions of Student Handbooks.**

The Creighton University Student Handbook is the official guide for all students earning academic credit (undergraduate, graduate, professional, and includes distance-based students) of the University. It is published by the Office the Vice Provost for of Student Life. The full Handbook may be found at <https://www.creighton.edu/students/studenthandbook/>.

While **all** students are held responsible for knowledge of the regulations and information contained in the Creighton University Student Handbook, all students are expected to adhere to their college, school, or program specific expectations.

The Vice Provost for Student Life or their designee is responsible for notifying students of the availability of this publication and how to access it. Additionally, the Vice Provost or their designee shall notify students of publicized changes to the Student Handbook. Every student is held responsible for knowledge of the regulations and information contained in this Handbook.

## WELCOME

Dear Creighton University Student,

Greetings and welcome to the 2021 – 2022 academic year. The purpose of the Creighton University Student Handbook is to assist you in becoming an informed and involved member of our community. As a Jesuit, Catholic University, Creighton promotes an academic learning environment that encourages you to engage in your community and to act with care and concern for each other.

This handbook contains information that will assist you in understanding your student rights and responsibilities as a member of our academic learning community. It is also a useful resource with information about a variety of University departments and programs, student involvement opportunities, campus safety, and University policies.

An important resource, the Student Handbook encourages you to engage in the Creighton community “with compassion, confidence and character.” As you commit to learning in the classroom and to participating in the many co-curricular opportunities that Creighton offers, we encourage you to create meaningful relationships and to fully commit to be a part of our inclusive community. In return, you will find support and guidance. Seek us out if you need us. We are here for you and are committed to your success.

Respectfully,

Dr. Tanya Winegard  
Vice Provost for Student Life

## MISSION STATEMENT OF CREIGHTON UNIVERSITY

Creighton is a Catholic and Jesuit comprehensive university committed to excellence in its selected undergraduate, graduate, and professional programs.

As Catholic, Creighton is dedicated to the pursuit of truth in all its forms and is guided by the living tradition of the Catholic Church.

As Jesuit, Creighton participates in the tradition of the Society of Jesus, which provides an integrating vision of the world that arises out of a knowledge and love of Jesus Christ.

As comprehensive, Creighton's education embraces several colleges and professional schools and is directed to the intellectual, social, spiritual, physical, and recreational aspects of students' lives and to the promotion of justice.

Creighton exists for students and learning. Members of the Creighton community are challenged to reflect on transcendent values, including their relationship with God, in an atmosphere of freedom of inquiry, belief and religious worship. Service to others, the importance of family life, the inalienable worth of each individual and appreciation of ethnic and cultural diversity are core values of Creighton.

Creighton faculty members conduct research to enhance teaching, to contribute to the betterment of society, and to discover new knowledge. Faculty and staff stimulate critical and creative thinking and provide ethical perspectives for dealing with an increasingly complex world.



## CREIGHTON UNIVERSITY STUDENT CREDO

Creighton, a Jesuit, Catholic university, is convinced that the hope of humanity is in the ability of men and women to seek truths and values essential to human Life. Creighton aims to lead all its members in discovering and embracing the challenge of using their intelligence and freedom in a way that values all persons. We therefore profess, and pledge our commitment to, the following creed:

- We believe in God, our loving Creator.
- We believe each person, created in God's image, is called to be God's child, and therefore possesses intrinsic value as a human being. This includes all persons and excludes any form of discrimination.
- We believe that the deepest purpose of each person is to enrich and share Life through love and reverence for the human community. This motivates our open and continuous pursuit of truth. For this reason, we foster reverence for Life in all its human potential.
- We believe in supporting all persons in their responsible contributions to the community through family, social interactions, and all Life endeavors.
- We believe that we must strive for a human community based on justice, mutual respect, and concern. In this context, we must cultivate care for our planet and its resources.
- We believe that laws exist for the benefit and well-being of individual persons, that legal systems must express the common good, and that governments must be respectful and open to thoughtful criticism by intelligent and responsible citizens.
- We believe that the laws of justice and love must regulate the personal, family, economic and global components of our Lives if civilization is to progress.
- We believe in the teachings and example of Jesus Christ.

(Revised August 2017)

## STANDARDS OF CONDUCT

The Creighton University community is based on a Catholic, Jesuit tradition and is committed to supporting the intrinsic value of each human being. This tradition involves striving to create a human community influenced by the principles of justice and love, complete with respect and concern for all persons as children of God. The Creighton University community is dedicated to the promotion of values consistent with personal and academic excellence.

Choosing to join this community, whether as a student, faculty or staff obligates you to act in a manner that is consistent with these commitments. Joining the Creighton University community evidences your acceptance of these commitments and agreement to strive for their achievement. Commitment to living by these principles means that you will endeavor to:

**1. Act with professional, academic, and personal integrity.**

Consistent with this principle is conduct in accord with the academic honesty policy of the University, other University policies that foster a human community of justice, respect, and concern, and the code of ethics of your foreseen profession. This principle challenges you to shape a personal code of positive values, to live a healthy, balanced lifestyle, and to discover and embrace the responsibilities of your freedom, intelligence, and intrinsic worth.

Inconsistent with this principle are all forms of dishonesty, excuse-making, failure to take responsibility for your behavior, infidelity or disloyalty in personal relationships and violations of the code of ethics of your foreseen profession.

**2. Respect and promote the dignity of all persons.**

Consistent with this principle is growing in understanding of different cultures and groups, resolving conflicts fairly, appreciating peoples' differences, and seeking truths and values essential to human life and community. This principle challenges you to refrain from actions that threaten or discourage the freedom, personal safety, and respect that all individuals deserve.

Inconsistent with this principle are actions that compromise or demean the intrinsic worth of individuals or groups. All forms of racism, sexism, pornography, lewd behavior, harassment, discrimination, intimidation, taunting, insult, physical harm, and discrimination are inconsistent with this principle.

**3. Respect the policies and procedures of the Creighton University community and the rights of its members both on and off campus, as well as the just laws of the civic community and the rights of its members.**

Consistent with this principle is the affirmative support for equal rights and opportunities for all members of the Creighton University community, realizing that you are a member of a larger community, with a responsibility to understand diverse societal issues, and being a responsible participant of the civic and Creighton community.

Inconsistent with this principle are actions that are illegal and that violate another's right to move about freely and securely, to live and learn in a community where members are secure in their property and person, to express themselves appropriately, and to enjoy privacy

**4. Support the personal, professional, academic, and vocational development of the members of the Creighton University Community.**

Consistent with this principle are actions that are compassionate and considerate of the needs and well-being of others and that encourage the development of students' moral, spiritual, intellectual, emotional, personal, and vocational abilities.

Inconsistent with this principle are actions that are insensitive, inhospitable, spiteful, or which unjustly or arbitrarily inhibit another's ability to securely pursue goals in accord with the development of their abilities.

These Standards of Conduct apply to all Creighton University students, student organizations and clubs. All members of the Creighton University community are obligated to promote actions consistent with these principles, and to appropriately confront, challenge, and respond to actions that are inconsistent with these standards.

## STUDENT ACCOUNTABILITY

### A. Values Statement

The Creighton University community is based on a Catholic, Jesuit tradition and is committed to supporting the intrinsic value of each human being. This tradition involves striving to create a human community influenced by the principles of justice and love, complete with respect and concern for all persons as children of God. The Creighton University community is dedicated to the promotion of values consistent with personal and academic excellence.

Creighton fosters an environment of learning from experience and moving beyond negative choices. The discipline process is built on the foundation that the process should be educational and helpful to the student's development. We aim to support students as they work through the potentially uncomfortable process of making choices that better reflect the personal and communal values articulated by the Jesuit values central to the mission of Creighton University.

### B. Purpose of Student Accountability

The education process at Creighton University is founded on Christian ideals and is committed to intellectual growth, the search for truth, and the development of such attributes as integrity, human dignity, and the concern for others. Creighton University is committed to a fundamentally fair process.

The regulations set forth in this handbook and in other official University bulletins are essential to the University's educational purpose and the promotion of community life. The major emphasis of this misconduct system is the education and development of the student and the protection of the rights of other members of the University community.

### C. Obligations of a Student

By voluntary entrance into the Creighton University community, the student assumes obligations of performance and behavior, both on and off campus, reasonably imposed by the institution. These obligations are in addition to those imposed on all citizens by the civil and criminal law.

### D. Inherent Authority

The standards and procedures set forth in this document are those the University normally applies to disciplinary matters. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus and community. This includes the right to suspend or expel, or request the withdrawal of a student at any time, with or without specific charge or hearing subject only to the student's right to request the Provost to review the academic or academic-related disciplinary matters, and the student's right to request the Vice Provost for Student Life to review behavioral disciplinary matters, as the case may be.

### E. Behavioral Misconduct Procedures

All University students are members of both a particular school or college and the overall community of the University. The authority for adjudication of student academic and behavioral misconduct matters is delegated in two ways:

First, the Dean of the particular school or college and his or her staff has full authority regarding all academic and academic-related disciplinary matters and penalties with respect thereto. This is subject only to the provisions of this Handbook relating to appeals of such matters after the Dean has imposed a serious penalty (i.e., expulsion from the University, suspension or a request for withdrawal).

Second, the Vice Provost for Student Life has authority regarding behavioral disciplinary matters where it is anticipated that a student infraction may result in behavioral reprimand or behavioral probation, withdrawal, suspension and/or expulsion, except in matters that involve allegations of harassment or discrimination, which are addressed by the [Harassment, Discrimination, Sexual and Relationship Misconduct Policy #2.1.25](#). For more information regarding academic and behavioral disciplinary procedures and appeal processes of these matters, please see the Academic Disciplinary Procedures, and the Behavioral Disciplinary Procedures sections of the Student Handbook, respectively.

However, social conduct and behavior in certain professional groups may be so closely related to professional suitability as to make them inseparable. Therefore, the Vice Provost for Student Life or their designee may, on a case by case basis, delegate to the Academic Dean of the professional school the authority and responsibility for the behavioral misconduct of his or her students. Where such delegation occurs, the Academic Dean shall have full authority respecting behavioral disciplinary matters and outcomes with respect thereto regarding their students, subject only to applicable appeal procedures set forth herein. If a determination is made now, either by the Vice Provost for Student Life or the Academic Dean of the professional school of enrollment, that the misconduct, whether it is behavioral or academic related, could in any way adversely affect patient or client interests, the student's status shall be altered to preclude any contact with patients or clients in the learning experience.

Students are accountable to both civil and University authorities for acts which constitute violations of law and this Handbook. When a student has been apprehended for violations of local, state, or federal law, the University will not request or agree to special consideration for the individual because of his or her status as a student. The University will cooperate fully with law enforcement agencies and other agencies responsible for rehabilitation. On the other hand, because of the severely disruptive nature of many violations of this Handbook, the University will normally not defer its proceedings while civil or criminal proceedings are in process. In addition, the University will not necessarily accept or be bound by the findings of civil or criminal proceedings in its proceedings.

**Regarding this Handbook, alleged misconduct by a student organization is handled in a manner like that used in addressing behavioral misconduct by individual students.**

*Withdrawal of a student from the University does not suspend, terminate or otherwise affect the prerogative of the University to at any time initiate, resume, or continue any disciplinary action or proceedings against a student for actions or events which occurred prior to the withdrawal.*

## **F. Retention of Disciplinary Record and Record Check**

All Disciplinary Records are maintained in the Office of Community Standards and Wellbeing. When an incident report is generated for an alleged violation of Creighton Community Standards, the result is a disciplinary file opened in the name of the respondent student. If the student is found not responsible for the alleged violations, the file will be marked no action, no record, and shall not constitute a disciplinary record. The files of students found responsible for charges against them, with outcomes less than suspension or expulsion, will generally be maintained in the Office of Community Standards and Wellbeing for seven (7) years from the calendar year of record, after which they are destroyed. Records of cases in which suspension or expulsion from the University occur, are kept indefinitely. As a part of FERPA all disciplinary records are confidential and may not be disclosed in whole or in part except as provided by law or by the written authorization of the student, under legal compulsion, or where the safety of other persons may be involved. Disciplinary records are maintained separate from the student's academic record but are part of the student's educational record.

Students with inquiries about their Creighton University discipline history should make a written request to the Office of Community Standards and Wellbeing. A written summary will be provided to the student within ten (10) business days. Students requesting to view their discipline records must follow the procedures outlined in the [Confidentiality and Privacy of Student Records](#) section of the Handbook. You may also request a summary of your history by visiting the Office of Community Standards and Wellbeing [website](#).

## G. Academic Honesty Policy

A student who engages in any of the following acts of academic or academic-related misconduct is subject to disciplinary procedures and sanctions as determined by the school or college in which he or she is enrolled. Academic or academic-related misconduct is defined to include but is not limited to:

1. Unauthorized collaboration or use of external information during examinations.
2. Plagiarizing or representing another's ideas as one's own.
3. Furnishing false academic information to the University.
4. Falsely obtaining, distributing, using, or receiving test materials.
5. Falsifying academic records.
6. Falsifying clinical reports or otherwise endangering the well-being of patients involved in the teaching process.
7. Misusing academic resources.
8. Defacing or tampering with library materials.
9. Obtaining or gaining unauthorized access to examinations or academic research materials.
10. Soliciting or offering unauthorized academic information or materials.
11. Improperly altering or inducing another to improperly alter any academic record.
12. Engaging in any conduct which is intended or reasonably likely to confer upon one's self or another unfair advantage or benefit respecting an academic matter.

### Academic Misconduct Procedures

The school or college, in which the student is enrolled, in accordance with the procedures of the school or college of enrollment, handles matters of academic misconduct. Academic disciplinary procedures differ from school to school. If the school or college of enrollment imposes a serious penalty (i.e., expulsion from the University, suspension or a request for withdrawal), the student shall have the right to appeal to the University Provost, subject to the provisions outlined below.

With the consent of the Dean and the student, matters of academic and academic-related misconduct **may be resolved informally and without right of appeal**. Such informal resolution shall be reached by the respondent student and a University administrator or faculty member designated by the Dean.

Pending resolution of the matter and any permitted appeal regarding the matter, the student's status as a student remains unaltered except in cases where there are reasons relating to the physical or emotional welfare of the student or of others, or reasons involving the safety of persons or property.

Sanctions or penalties established by the school or college of enrollment may include but are not limited to reprimand, repetition of an examination or assignment under a different format, reduction of grade for an assignment, examination or course (including assignment of a failing grade, and/or suspension or expulsion from a course), and probation. Serious penalties are expulsion from the University, suspension, and a request for withdrawal.

In academic or academic-related misconduct disciplinary cases, the following provisions shall govern appeals:

A final appeal shall be allowed if the academic misconduct results in a serious penalty (**i.e., expulsion from the University, suspension, or a request for withdrawal**).

In such cases, the affected student has the right to appeal to the University Provost. If the standards applicable to the accreditation of the school or college of enrollment require that the school or college have final authority for academic or academic related disciplinary matters, the Provost also shall have discretion in whether to hear those appeals.

Both the "Intent to Appeal" form, available from the Dean, and written appeal shall be delivered by the student to the office of the University Provost. The student shall also deliver copies thereof to the office of the Dean of the school or college of enrollment.

In all other respects, such appeals shall be governed by the provisions, time limitations, grounds for appeal, and other conditions, limitations and procedures stated in the "Appeal Process", "Grounds for Appeal", and "Disciplinary Outcomes" sections under "Behavioral Misconduct Procedures."

## ACADEMIC INFORMATION

### 1. Confidentiality and Privacy of Student Records

Creighton complies with the “Family Educational Rights and Privacy Act” (FERPA). Information about students or former students will not be released without the consent of the student other than in the exceptions stated in the Federal Act. FERPA affords students certain rights with respect to their education records. They are:

- a. The right to inspect and review the student’s education records.

Students should submit to the Registrar, Dean, Department Chair, or other appropriate official, a written request that identifies the record(s) they wish to inspect. The University official will make arrangements for access within 45 days of the day the University receives a request for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

- b. The right to request the amendment of the student’s education records that the student believes is inaccurate or misleading.

Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identifying the part of the record they want changed and specify why it is inaccurate or misleading.

***Note: The right to challenge grades does not apply under this Act unless the grade assigned was inaccurately reported.***

If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

- c. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosures without consent.

One exception that permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including Public Safety personnel and Health Education and Compliance staff), a person or company with whom the University has contracted (such as an attorney, auditor, collection agency, and the National Student Clearinghouse); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill her or his professional responsibilities for the University.

Generally, schools must have written permission from the student in order to release any information from a student’s education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest.



- Other schools to which a student is requesting transfer or enrollment.
- Specified government officials for audit or evaluation purposes.
- Appropriate parties in connection with financial aid to a student.
- Organizations conducting certain studies for or on behalf of the school.
- Accrediting organizations.
- To comply with a judicial order or lawfully issued subpoena.
- To a parent of a student under the age of 21 concerning the student's violation of any law or policy regarding the use or possession of alcohol or a controlled substance.
- Appropriate officials in cases of health and safety emergencies.
- State and local authorities, within a juvenile justice system, pursuant to specific state law.
- To victims of crimes of violence or non-forcible sex offenses.
- Disclosures to the student.

FERPA permits disclosure of education record information to a student's parent or guardian if the student is their dependent for federal tax purposes. To rely on this exception, the University must verify a student's dependent status by asking the parent/guardian to provide a copy of the portion of their tax return showing they claimed the student as a dependent. Students may grant their parents or others access to their academic records by following the procedure on their N.E.S.T. account.

FERPA also allows the University to disclose directory information without the written consent of the student. Directory information is information contained in an education record of a student which generally would not be considered harmful or an invasion of privacy if disclosed. Directory information includes the student's full name, the fact that the student is or has been enrolled, full-time/part-time status, expected date of graduation, local and permanent address(es), e-mail address(es), telephone number(s), date and place of birth, dates of attendance, division (school or college), class, major field(s) of study and/or curriculum, degrees, honors and awards received, participation in officially recognized activities and sports, weight and height of members of athletic teams, photograph(s), and previous educational agency or institution attended by the student. A currently enrolled student may request all directory information not be released by designation as such on their N.E.S.T. account. The restriction shall not apply to directory information already published or in the process of being published. Once the student has designated a confidential classification, it will not be removed until the student submits a signed authorization requesting that it be removed.

#### D. Complaints

Students may file complaints with the University's privacy officer at [privacy@creighton.edu](mailto:privacy@creighton.edu).

Students may also file a complaint with the U.S. Department of Education concerning alleged failures by Creighton University to comply with requirements of FERPA.

The name and address of the office that administers FERPA are:

**Family Policy Compliance Office**

U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

## LOCATION, TYPES, AND CUSTODY OF EDUCATION RECORDS

Following is a listing of the location and types of education records and the title of the respective official responsible:

### **Registrar's Office (Brandeis Hall, 2<sup>nd</sup> floor)**

Application for admission and supporting documents, including standardized test scores, transcripts of academic work completed elsewhere; cumulative academic records; academic action reports; correspondence, etc.

### **School or College Dean's Office**

Records will vary with each Dean's office, but may include records and reports in original or copy form generally comparable to those maintained by Registrar, academic progress reports, evaluations and related actions, attendance data, correspondence, etc.

The following is a list of the schools/colleges and the respective websites:

[Creighton College of Arts & Sciences](#)  
[Heider College of Business](#)  
[College of Nursing](#)  
[College of Professional Studies](#)  
[Graduate School](#)  
[School of Dentistry](#)  
[School of Law](#)  
[School of Medicine](#)  
[School of Pharmacy & Health Professions](#)

### **Academic Advisor's Office**

Cumulative files containing academic information are maintained by some academic departments and by some faculty advisors concerning their advisees

### **Athletic Department (Championship & Ryan Centers)**

Directory information; recruiting and eligibility records; performance statistics

### **Department of Residential Life (Swanson Hall 136)**

Housing information and Dining Services information

### **Global Engagement Office (Creighton Hall, Suite 324)**

Records of international students and records of students who studied abroad

### **Health Education & Compliance (Markoe Hall)**

Medical records and Counseling records

### **Office of Community Standards and Wellbeing (Creighton Hall, Suite 224)**

Disciplinary records

### **Office of Equity and Inclusion (Creighton Hall, Suite 340)**

Disciplinary records

### **Student Financial Aid Office (Harper Center for Student Life and Learning, Suite 1100)**

Financial aid records

**University Business Office (Creighton Hall Room 113)**

Financial records, student accounts, student loans, collections, and cashier services

**University Relations (Wareham Building, 3<sup>rd</sup> Floor)**

Directory information and other personal data about former students and graduates, and their subsequent activities and achievements

**Vice Provost for and Ministry (Creighton Hall 240)**

Directory information and religious affiliation

Questions concerning student records or FERPA may be referred to the University Registrar, who is designated as the University Custodian of Student Records.

**2. General Regulations****Change in registration**

For courses that run the full semester, changes in registration are permitted until the end of the first week of classes.

**Transcripts**

A copy of a student's academic record is called a transcript and is issued by the University Registrar upon signed request, or its equivalent, of the student. Transcript request information is available at the Registrar's Office or on the Registrar's Office website. Copies are not made of transcripts on file from other institutions; any additional copy of these must be requested by the student directly from the original issuing institution.

Students who are suspended or expelled from Creighton University due to behavioral reasons will have the following notations appear on their permanent academic record, including the official transcripts of the University:

- Behavioral Suspension
- Behavioral Expulsion

Per the Harassment, Discrimination, Sexual and Relationship Misconduct Policy; students who are in an ongoing investigation may have the following notation appear on their academic record, including the official transcripts of the University:

- Withdrawal Pending Conduct Resolution

Students who are dismissed from Creighton University or from a College/School within Creighton University due to academic reasons, including academic integrity violations, will have the following notations appear on their permanent academic record, including the official transcripts of the University:

- Academic Dismissal from Creighton University
- Academic Dismissal from (School or College)

**3. Withdrawal from the University**

A student is considered in attendance until they have formally notified the University in person or in writing of withdrawal by the established withdrawal deadline for the term. Refunds are determined on the basis of the date of such formal notification.

Permission to withdraw from the University is granted by the Dean of the School or College in which the student is registered. This is required as a condition of honorable dismissal.

For tuition refund information please see the [Business Office Policies](#) site.

For room and board refund information please see the [Housing Agreement](#).

## STUDENT LIFE DEPARTMENTAL POLICIES

The Division of Student Life at Creighton exists to help students become the best possible versions of themselves. We promote learning not just as a classroom experience, but as a lifelong endeavor. Our inclusive campus culture gives all students the confidence to learn, grow and engage in their community with compassion, confidence, and character.

Choosing to join the Creighton community, whether as a student, faculty, or staff, obligates you to act in a manner that is consistent with these commitments. These Standards of Conduct apply to all Creighton University students, registered student organizations, and clubs. All members of the Creighton University community are obligated to promote actions consistent with these principles and to appropriately confront, challenge, and respond to actions that are inconsistent with these standards. Joining the Creighton University community evidences your acceptance of these commitments and agreement to strive for their achievement.

Please visit the Division of Student Life for more information on the departmental policies:

Student policies and procedures

## RESIDENTIAL LIFE EXPECTATIONS

We strive to improve the residential experience at Creighton through a class-year living environment that creates opportunities for students to build community, provides a holistic, living-learning experience, and supports Creighton University's Jesuit, Catholic mission and tradition. We strive to be a welcoming community for all residents and guests and encourage students to engage in meaningful conversations to expand their mind and world view. Through dialogue and reflection, we facilitate students' deeper understanding and commitment as agents of change for a global society. We expect that each student meets certain minimum standards of expected behavior and take responsibility for the consequences of their behavior.

As a residence hall student you must abide by the following:

- Federal, state, and local laws
- University policies and rules found in the Student Handbook
- Terms and conditions set forth in your
  - [Residence Hall and Food Service Agreement](#)
- [On Campus Living Policies](#) found on the Residential Life website.
- Roommate agreements

**Students are responsible for knowing and following the rules and regulations of their residence hall or apartment community.**

## COMMUNITY STANDARDS IN THE RESIDENCE HALLS

When you are involved in community standards violation all incident reports and letters from the Resident Director and/or other University officials regarding those incidents are on file in the Office of Community Standards and Wellbeing. See [Retention of Disciplinary Record and Record Check](#)

### 1. Addressing a Policy Violation

Residential Life staff is responsible for addressing any policy violation that they encounter in any residence hall or apartment. Students are expected to assist staff in creating a positive living environment by addressing each other and/or notifying staff of those people who violate expectations.

It is equally expected that residents, who are involved in incidents, be courteous and cooperative. Failure to cooperate, providing false information, or acting out through verbal or physical abuse to a staff member is a serious violation. It is likewise important to notify the Resident Director or Apartment Coordinator of any incident in which you feel a staff member may have acted inappropriately.

### 2. Incident Reports

When a resident is involved in a policy violation or an incident, a Residential Life staff member will document the details of the situation in an incident report. Not all incident reports involve policy violations. Some are used to document equipment malfunctions, illness, theft or loss, emergencies, and any of a variety of other situations.

Because the incident report is written objectively, it is important that you give clear details of any situation in which you are involved. The Office of Community Standards and Wellbeing reviews all incident reports and may request to discuss the details of the report.

### 3. Meeting with a Member of the Student Life Staff

If the details of the report indicate that a student may be in violation of the Student Code of Conduct the report is referred to the Office of Community Standards and Wellbeing and a behavioral misconduct officer is assigned. When a Resident Director or another behavioral misconduct officer meets with a student who may have been involved in a community standard violation, the primary goal is to determine the circumstances of the incident and ascertain which parties are responsible for what specific community standard violations, if any. Cooperation, even if a student believes they were not responsible, is critical to the successful resolution of the incident.

**A student has the opportunity to have their side heard in any situation as articulated in the discipline process. All the University's behavioral discipline processes are designed to be equally fair and objective for all students. To learn more how the Office of Community Standards and Wellbeing will work with you please see: <http://www.creighton.edu/studentlife/ocsw/thedisciplineprocess/>**

Along with our efforts to give every person a fair hearing based on the circumstances of their situation; we seek to be consistent in dealing with incidents across campus. For this reason, we have some standard guidelines for outcomes from which we work.

### 4. Disciplinary Outcomes

A Student Life staff member has authority to levy any combination of the outcomes detailed in the Student Discipline section of the Handbook. Failure to comply with any outcome will result in additional action, including but not limited to additional outcomes. See Disciplinary Outcome section of the Student Handbook.

## OFF-CAMPUS LIVING

The Creighton University community is based on a Catholic, Jesuit tradition and is committed to supporting the intrinsic value of each human being. This tradition involves striving to create a human community influenced by the principles of justice and love, complete with respect and concern for all persons as children of God. The Creighton University community is dedicated to the promotion of values consistent with personal and academic excellence.

Consistent with our Standards of Conduct is the affirmative support for equal rights and opportunities for all members of the Creighton University community, realizing that you are a member of a larger community, understanding societal issues, and being a responsible participant in the civic and Creighton community.

Always try to do what is right and fair by treating others as you would expect to be treated yourself. Know that being a good neighbor can be difficult because people hold different beliefs and perceptions.

It is important that all of us respect the rights of others and that we accept the responsibilities, as well as the benefits, of good citizenship. This guidance gives students guidelines and understanding how behavior may affect others. **To see more about the responsibility we have as members of the greater Omaha community please visit: [Community and Civic Responsibility](#)**

**Students must adhere to the Creighton University Community Standards on and off campus. Students who allow or sponsor house parties that disturb the neighborhood and adversely affect surrounding community, will be subject to review by the University and be referred to the Office of Community Standards and Wellbeing.**

### **1. Promote a peaceful and a respectful environment**

Protect the environment from noise, litter, and other intrusions. This includes being appropriately quiet during evening and night hours, keeping auto and home stereo systems at acceptable sound levels, and not leaving litter or trash on campus, City of Omaha streets or neighbors' or students' properties.

### **2. Keep the exterior of your house/apartment tidy**

Properly maintain off-campus rooms, apartments, or houses. This includes many of the recommendations stated above plus other vital information, such as keeping rooms, apartments, and houses litter-free and putting trash on the street curb for pick-up once per week. Students who live off-campus can contact the City of Omaha and Deffenbaugh Trash to find out about trash pickups and recycling.

### **3. Know your rights as a citizen of Omaha**

Educate yourself on how to report things to your local precinct, Mayor's hotline (402-444-5555) or your neighborhood association. All tenants and landlords are subject to the zoning and health and safety laws of the city of Omaha. **City of Omaha's Web Page: [www.cityofomaha.org](http://www.cityofomaha.org) Mayor's Hotline Web Page: <https://mayors-office.cityofomaha.org/mayor-s-hotline>**

### **4. Engage in the greater Omaha community**

All students are encouraged to join on-campus clubs/organizations, which perform community service by working with such groups as the Sienna Francis House or Lydia House, local parishes such as Sacred Heart and Holy Family and local soup kitchens. Students who live off campus are also encouraged to join civic programs and neighborhood associations ([https://planninghcd.cityofomaha.org/images/Omaha\\_Neighborhood\\_Directory.pdf](https://planninghcd.cityofomaha.org/images/Omaha_Neighborhood_Directory.pdf)) because membership for these groups are not limited to homeowners. It is rewarding and mutually beneficial to participate in community-service learning and neighborhood activities, such as civic meetings and block parties.

## UNIVERSITY POLICIES APPLICABLE TO STUDENTS

The university has many policies, available at [General Counsel](#) page. The following is a sampling of the policies most relevant to students.

### A. Abortion Policy

Services for the purpose of abortion are not available to students through Creighton University.

Creighton University, a Jesuit, Catholic University, is convinced that the hope of humanity is the ability of men and women to seek the truths and values essential to human life. We value the dignity of life and the goodness of sexual expression according to the teachings of the Catholic faith. The University must however recognize the privacy of the individual's conscience. We cannot and do not police the domain of private conscience.

### B. Alcohol and the Creighton Student

Creighton University recognizes that alcohol is a major influence on today's college campus and that it has a responsibility to educate students and their families on University expectations regarding alcohol. Furthermore, Creighton recognizes that it must go beyond simply informing students and their families about the legal consequences resulting from alcohol use, as Creighton's response must also address the social realities of our students while continuing to promote and educate students about the benefits of living a healthy lifestyle. The following details Creighton's approach to alcohol education, the effects of alcohol on the human body, and the University's alcohol policies.

#### 1. Creighton's Approach to Alcohol Education

Creighton's alcohol policies are straightforward and enforce state and federal law. The University's educational position, however, calls for a response to alcohol education that goes beyond legal consequences. At Creighton, we believe the response to alcohol education must also meet the health and wellbeing needs of our students, while also considering the decisions they may choose to make because of their need to socialize.

**Creighton University expects its students to abandon high-risk drinking.** "To avoid binge drinking and its consequences, college students (and all people who drink) are advised to track the number of drinks they consume over a given period of time. That is why it is important to know exactly what counts as a drink.

In the United States, a standard drink is one that contains about 14 grams of pure alcohol, which is found in:

- 12 ounces of beer with 5 percent alcohol content
- 5 ounces of wine with 12 percent alcohol content
- 1.5 ounces of distilled spirits with 40 percent alcohol content

Many college alcohol problems are related to binge drinking. Binge drinking is a pattern of drinking that brings blood alcohol concentration (BAC) levels to 0.08 g/dL. This typically occurs after 4 drinks for women and 5 drinks for men—in about 2 hours.

Drinking this way can pose serious health and safety risks, including car crashes, drunk-driving arrests, sexual assaults, and injuries. Over the long term, frequent binge drinking can damage the liver and other organs." [College Fact Sheet](#)



## 2. Alcohol and the Body

Every person reacts differently to alcohol; some people are affected only slightly and others severely. Alcohol is a central nervous system depressant, which means the brain and spinal cord are affected and react more slowly when there is alcohol in a person's system. The more alcohol in the system, the more depressed is the central nervous system, and the greater effect. There are increased incidences of falls, accidents, vandalism, destruction of property, arguments, fights, sexual assault, other violence, and risk-taking behavior when a person is under the influence of alcohol. There is diminished performance for 24-72 hours after having had too much to drink because of the by-products produced from the metabolism of alcohol.

Some people are more susceptible to becoming addicted to alcohol than are others. This addiction is more likely to occur if a person drinks alcohol regularly at a young age (before 18) and/or if a parent, grandparent, aunt, uncle, brother, or sister has a history of alcohol abuse. There is, as yet, no way to know who is most susceptible to developing alcoholism or any other adverse health effects from alcohol.

## 3. Creighton University's Alcohol Policies

Creighton University defines misuse or abuse of alcohol as:

"Any alcohol or drug-related behavior that adversely affects or strains a person's life in regard to: physical health; feelings of self-esteem; personal or family relationships; the campus community and its members; educational and occupational goals; or standing in regard to local, state or federal laws. Students regardless of age are held accountable to this policy if they come to the attention of University officials."

[The National Institute on Alcohol Abuse and Alcoholism](#) defines binge drinking as: "A pattern of drinking that brings a person's blood alcohol concentration (BAC) to 0.08 grams percent or above. This typically happens when men consume 5 or more drinks, and when women consume 4 or more drinks, in about 2 hours.

Most people who binge drink are not [alcohol dependent](#).

The University is committed to developing and sustaining University wide health norms to facilitate preventing problems related to drinking, providing resources for intervention and assistance, and maintaining a safe environment free of coercion for those who choose not to drink.

Thus, it is the position of Creighton University to promote informed choices about the responsible use of alcohol on its campus by all members of the community. Since it is important that people be aware of their responsibilities and University expectations, the following guidelines are set forth.

## 4. Track to Recovery from Alcohol Abuse at Creighton (TRAAC)

Creighton has developed TRAAC to care for intoxicated students who could be in danger. TRAAC provides students with proper University support and, in cases where students are reasonably at risk, the appropriate medical attention from the University Campus Emergency Department (UCED).

TRAAC Standard procedures:

- a. A student is identified as potentially being intoxicated by demonstrating one or more of the following: impaired judgment, impaired reactions, decreased coordination, or unresponsiveness.
- b. An assessment by Health Education and Compliance and field sobriety tests by Public Safety (PS) are administered. The student is transported by PS to UCED if determined appropriate by the SHS assessment.
  1. A student with a blood alcohol content (BAC) equal to or above 0.15 will be transported to the UCED.

2. A student with a BAC below the 0.15 threshold may also be transported to the UCED because of other medical findings.
- c. Parents are notified.
- d. Student is seen in the UCED to determine if further medical care is needed.
- e. If requested, PS will transport the discharged student from the UCED to their residence hall at Creighton University. PS will not transport the student to any other location.
- f. If the student fails to comply with the TRAAC standard protocol the student may be immediately suspended or expelled from the University.
- g. The incident is documented and referred for a Community Standards meeting (behavioral misconduct), which normally results in a student status of behavioral probation; \$100 alcohol intoxication fine; and additional educational outcomes.

**Alcohol Intervention Education** - In response to concerns that students who have been to the TRAAC face severe and long-lasting disciplinary consequences, the Office of Community Standards and Wellbeing has developed an online module program. This program is an option for students who are compliant with University officials during the documentation of their TRAAC incident. Any student who is in failure to comply during an incident is not eligible for the program. Any student who has previously been to TRAAC is not eligible for the program. For more information, contact the Office of Community Standards and Wellbeing (OCSW).

## 5. Good Samaritan Provision

As a part of this responsibility to others, students are expected to immediately report conduct or activity which poses a danger to the community or its members. This is most important in medical emergencies due to alcohol use. Students should not hesitate to seek help because of fear of disciplinary action. The welfare of everyone in this community is paramount, and Creighton University encourages students to offer healing and assistance to others in need even under the effects of alcohol. In most cases, the help seeker will not be held responsible with a policy violation under Creighton's Standards of Conduct. The help seeker must actively seek medical assistance, give their name to the university official, and must remain cooperative at the scene.

In such cases where a help seeker would be present, the following actions will take place:

1. The help seeker will be documented and titled with the term "help seeker" next to their name in the report (as reported by RA, RD, Public safety, or other university officials to whom the help seeker sought out).
2. The help seeker will meet with Office of Community Standards and Wellbeing to discuss the situation that occurred. At this point, the Office of Community Standards and Wellbeing staff member will determine the severity of the incident that took place. In most cases the help seeker will not be held responsible, however, in the case of other policy violations (vandalism, sexual assault, violence, etc.) the student may be held to different standards and practices when outside the scope of this policy.

The risks of being a help seeker include:

- 1.) Potential for documentation of policy violation
- 2.) Potential to go through the TRAAC program
- 3.) Potential for other repercussions as deemed appropriate by OCSW when outside the scope of this policy.

The risks of NOT being a help seeker include:

- 1.) Lack of adequate medical assistance when needed
- 2.) Risk for medical emergencies
- 3.) Potential for University violations and documentation
- 4.) Potential for many other risks in relation to severe alcohol intoxication incidents

## 6. On-Campus Alcohol Use

- a. Prior approval must be obtained from the Vice Provost for Student Life (or their designee) for any activity where alcohol is present. It will be necessary to complete and adhere to an alcohol contract obtainable from the Student Leadership & Involvement Center.
- b. Any sponsoring organization or group which serves alcohol at their events must use trained servers from University Dining Service. Students must present a valid ID and their student ID.
- c. Sponsoring organizations or groups assume responsibility for their social events. This responsibility includes insuring that only those of legal drinking age possess and/or consume alcoholic beverages, refusing to serve people who appear, act, or behave in an intoxicated manner; providing sufficient quantities of non-alcoholic beverages as dictated by the event and the crowd; and, finally, providing sufficient quantities of food throughout the event. In addition, the group has the responsibility of restricting alcohol to the designated area.
- d. Advertisement for any event on campus shall be in good taste and conform to the posting policy. Those events involving alcohol shall conform to the "Creighton University Guidelines for Promotion of Events Where Alcohol Will Be Served".
- e. Public advertising or open access to social events where alcoholic beverages are being served are not in the best interest of the sponsoring group or of Creighton University. Therefore, any event open to the general public will not be given permission to serve alcohol.
- f. For those on-campus social events where students are present and alcoholic beverages are being served, Public Safety personnel shall be notified of the event by the sponsoring group or organization to determine whether or not an officer should be present. The sponsoring group is responsible for any expenses that might result.
- g. Alcohol use of any kind may not be used in the freshman and sophomore halls. Residents of the apartments (Opus Hall and Davis Square), if of legal drinking age, may possess alcohol within the confines of their room or apartment, but may not use/consume it when minors are present.
- h. Irresponsible Alcohol Use: Students living in the residence halls and student organizations shall not possess irresponsible amounts of alcohol, nor should they provide irresponsible amounts of alcohol to members, residents, or guests of legal drinking age. Alcohol is only to be used in a responsible manner by individuals over the age of 21. Large amounts of alcoholic beverages are prohibited in the residence halls and at events a reasonable outsider would associate with student organizations. This includes, but is not limited to kegs, handles of liquor, and boxed wine(s), along with beer that contain 7 percentage or more alcohol percentage by volume. Games, behaviors, or devices that promote the rapid consumption of alcohol are similarly prohibited.
- i. Consuming or possessing open containers of alcoholic beverages is prohibited in hallways, bathrooms, stairwells, general lounges, lobbies, study rooms, and all public areas.

## 7. Off-Campus Alcohol Use

Student organizations holding off-campus events where alcohol is present are responsible for full compliance with the appropriate state law. In cases where a student organization is reportedly in violation of either the Standards of Conduct and/or Student Organizational Guidelines, each case will be referred to the appropriate hearing body. Additionally, individual members, including the organization's officers, may be held accountable for their personal behavior as well as the behavior of their guests.

Fraternity/Sorority organizations, governed by Interfraternity and Panhellenic Councils, have implemented specific [alcohol guidelines](#) that must be adhered to by all fraternity and sorority organizations.

## 8. Violations

- a. Violations of the Alcohol Policy will be referred to the Office of Community Standards and Wellbeing for the appropriate action.
- b. Violations of the policy will be subject but not limited to:
  - i. suspension of the organization's alcohol use privileges;

- ii. fines;
- iii. suspension of University approval for the sponsoring organization or group;
- iv. other University disciplinary action.

## 9. Douglas County (Omaha) and Nebraska State Laws Regarding Alcohol

- a. No person shall sell, give away, dispose of, exchange, or deliver, or permit that sale, gift, or procuring of any alcoholic liquors, to any person under the age of twenty-one. Any person violating this law is guilty of a Class I misdemeanor.
- b. No one under the age of twenty-one shall obtain, or attempt to obtain, alcoholic liquor by misrepresentation of age. Any person violating this law is guilty of a Class III misdemeanor.
- c. No one under the age of twenty-one may sell or dispense or have in his or her possession or physical control any alcoholic liquor in any tavern or in any other place **including public streets, alleys, roads, highways, or inside any vehicle**. Any person violating this law is guilty of a Class III misdemeanor.
- d. Any person who knowingly manufactures, creates, alters any form of identification for the purpose of sale or delivery of such form of identification to a person under the age of twenty-one shall be guilty of a Class I misdemeanor. Forms of identification are defined as any card, paper, or legal document that may be used to establish the age of the person named thereon for the purpose of purchasing alcoholic liquors.
- e. [Good Samaritan Provision of Nebraska Underage Drinking Law](#): Subsection of this 53-180.02 shall apply if the person; Requested emergency medical assistance in response to the possible alcohol overdose of himself or herself or another person as soon as the emergency situation is apparent after such violation of section 53-180.02 was the first person to make a request for medical assistance under subdivision (b)(i) of this subsection as soon as the emergency situation is apparent after such violation of section 53-180.02; and when emergency medical assistance was requested for the possible alcohol overdose of another person:
  - (A) Remained on the scene until the medical assistance arrived; and
  - (B) Cooperated with medical assistance and law enforcement personnel.
  - (C) A person shall not initiate or maintain an action against a peace officer, or the employing state agency or political subdivision based on the officer's compliance with subdivision (b) of this subsection.

## 10. Guidelines for the Promotion of Events Where Alcohol Will be Served

- a. Marketing programs specifically targeted for students on campus must conform to the Creighton University code of student conduct and must avoid demeaning sexual, racial, or other discriminatory references.
- b. Promotion materials must neither encourage any form of alcohol abuse nor refer to the amount of alcoholic beverage (such as the number of beer kegs available or expressions like "all you can drink.")
- c. Alcoholic beverages (such as kegs or cases of beer) must not be provided as free awards to individual students or campus organizations.
- d. No uncontrolled sampling as part of campus marketing programs shall be permitted and no sampling, or other promotional activities, shall include "drinking contests."
- e. Where controlled sampling is allowed by law and institutional policy, it must be limited as to time and quantity. Principles of good hosting must be observed including availability of alternative beverages, food, and planned programs. The consumption of alcohol must not be the sole purpose of any promotional activity.
- f. Promotional activities must not be associated with otherwise existing campus events or programs without the prior knowledge and consent of the Associate Vice Provost of Student Life Office.
- g. Display or availability of promotional materials must follow the poster policy developed by Creighton University. All marketing programs must have educational value and subscribe to the philosophy of responsible and legal use of the products represented. All promotional materials will include the following language "Alcohol will only be available to those of age and with proper photo identification."

- h. Alcohol advertising on campus or institutional media, including that which promotes events as well as product advertising, must not portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual, or academic success.
- i. Advertising and other promotional campus activities must not associate the consumption of alcohol with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.
- j. Local off-campus promotional activities, primarily directed to students, must be developed in cooperation with the Associate Vice Provost for Student Life.

## C. Children and Vulnerable Adults

In order to ensure that the appropriate supervision of children and vulnerable adults who are involved in University-sponsored programs and programs held at the University, including the housing of children and vulnerable adults in University residence halls, it is necessary to establish certain requirements governing the presence of children and vulnerable adults on the University's campus.

These requirements are as follows:

1. All children and vulnerable adults not registered for classes who are otherwise participating in a University-sponsored program or a program taking place on University property must be supervised by an authorized adult(s) at all times while they are participating in that program.
2. All supervised children and vulnerable adults participating in a University-sponsored program or a program taking place on University property are permitted in the general use facilities (athletic facilities, public spaces, academic buildings, food services area etc.) but may be restricted from certain areas of the facilities or from utilizing certain equipment.
3. Children and vulnerable adults are permitted at events and venues open to the public. However, the University reserves the right to determine, in its sole discretion, whether selected events or venues are appropriate for children.

[Click here](#) for more information on this policy and training requirements to become an authorized adult.

### How to Report

Individuals who believe a violation of the Children and Vulnerable Adults Policy may have occurred should immediately contact the Office of Equity and Inclusion at (402) 280-3189, at [oei@creighton.edu](mailto:oei@creighton.edu), or the report online using the [online form](#). Please note that all individuals in the state of Nebraska are mandatory reporters of child abuse and neglect. Reports of suspected child abuse and neglect must be made to local authorities or the Nebraska child abuse hotline at 1-800-652-1999.

## D. Communicable Diseases

Creighton University strives to provide a campus environment that promotes good health, reserves the right to require specific immunization data from students and expects that each person will comply with immunization policy requirements, methods of preventing non-vaccine preventable diseases, as well as any infectious disease control programs developed by The Health Education and Compliance Office. The Health Education and Compliance Office is the official record-keeper of student immunization data. Noncompliance will result in denial of registration privileges, exclusion from University activities, educational clinical experiences and/or employment.

## E. Contraceptives Policy

Creighton University, a Jesuit, Catholic University, is convinced that the hope of humanity is the ability of men and women to seek the truths and values essential to human life. We value the dignity of life and the goodness

of sexual expression according to the teachings of the Catholic faith. The University must however recognize the privacy of the individual's conscience. We cannot and do not police the domain of private conscience

## F. Discriminatory Harassment

Any unfair distinction, treatment, or detriment to an individual compared to others that is based upon an individual's actual or perceived race, color, religion, sex, marital status, national origin, age, disability, citizenship, sexual orientation, gender identity, gender expression, veteran status, and any other groups protected by federal, state or local statutes. The conduct must be so objectively offensive as to alter the conditions of the individual's employment or educational experience.

Creighton University prohibits all forms of discrimination. When there is reasonable cause to suspect a violation of the Harassment, Discrimination, Sexual and Relationship Misconduct policy the University will:

- Conduct a prompt, thorough, and impartial investigation.
- Provide equal procedural rights to reporting and responding parties including but not limited to the ability to name witnesses, review, and respond to evidence and investigative documents, and work with an advisor of choice; and
- Put in place protective measures such as contact restrictions, and housing or class reassignments.

### How to Report

The University encourages the reporting of all incidents under the Harassment, Discrimination, Sexual and Relationship Misconduct Policy. For someone who feels the target of such behavior, deciding whether to report an incident is a personal and often difficult decision. Individuals who choose to report to the University may contact the Office of Equity and Inclusion by phone at (402) 280-3189, by email at [titleix@creighton.edu](mailto:titleix@creighton.edu), or by utilizing the [online form](#). For additional information see the University's [Harassment, Discrimination, Sexual and Relationship Misconduct Policy #2.1.25](#).

## G. Diversity and Inclusion

Creighton University, inspired out of a Catholic and Jesuit tradition, treasures the innate dignity of each member of our community and upholds the sanctity of each human being as a profound gift of God. Finding the resplendence of the divine reflected in the uniqueness of every person, we seek, acknowledge, and celebrate diversity at Creighton because our Catholic and Ignatian heritage inspires and impels us to do so. Diversity in principle is the "service of faith in the promotion of justice". Diversity enhances our social selves and intellectual lives by exposing all of us to methods, styles and frames of reference that challenge our unexamined assumptions helping us unmask personal, cultural, institutionalized, and organizational discrimination and stigmatization, recognizing that ignorance and stereotypes create and sustain privileges and preference for some, while creating and sustaining marginalization and oppression for others.

In a truly catholic context, diversity at Creighton commends inclusion as a prudential, virtuous, and practical principle. Celebrating diversity at Creighton is an invitation to incarnate our mission to educate lifelong learners who will be agents for change in our local communities and in the world. Diversity at Creighton animates our varied intellectual pursuits and enriches our mission to "seek Truth in all its forms." To this end, Creighton faculty, staff, students and administrators seek to foster an environment of awareness, inclusion, and compassion for everyone in our community and our guests, regardless of age, culture, faith, ethnicity, immigrant status, race, gender, sexual orientation, language, physical appearance, physical ability, or social class. Our caring, hospitable community, our attention to those who are underserved, our academic and co-curricular offerings, and our admissions, hiring, and promotion policies all give testimony to our desire to make Creighton a welcoming, inclusive community. We do this by constant vigilance and reassessment of our campus climate, reaching out to those who are marginalized and whose voices are muted by the mainstream.

## H. Domestic and International Travel Policy

Travel programs for curricular and co-curricular purposes involving students are focused on student learning and development.

Travel experiences provide opportunities that encourage student development and integration of new knowledge and experiences (e.g., global issues, leadership skills, maturity, and growth in cultural awareness). Depending on the site and program goals, travel programs foster discipline-specific and/or interdisciplinary global learning outcomes appropriate to the curriculum or to the mission of a student organization. Thus, travel opportunities may provide language and intercultural development as appropriate to its programmatic objectives.

Consistent with the Creighton University Catholic mission and Jesuit identity, travel opportunities ideally should provide opportunities for reflection before, during and after the experience. Travel participants should particularly take into consideration the impact the program and its participants may have on the environment and the people of the destination locations.

The student curricular learning outcomes and overall student experience shall be assessed at the conclusion of the program. Please refer to the academic assessment plan available in the College or School granting credit for international courses.

Outcomes of co-curricular travel programs are expected to match those submitted for pre-approval to the Student Leadership and Involvement Center.

Please review the information on the [Global Engagement Office Travel Registration & Insurance](#) web page for policy and guidance on planning travel.

## I. Drug Use and Possession

### 1. Health Effects

Every person reacts differently to drugs; some people are affected only slightly, and others are severely affected. There is no completely safe drug. Illicit drugs can be harmful to health for two reasons: the effect of the drug itself and the effect of by-products, which result from processing the illicit drug.

Almost all illicit drugs are used to change a person's mood, or the way s/he feels. Any drug that changes mood does so by affecting the central nervous system and changing its ability to react normally. For example, stimulants make the central nervous system overactive while narcotics and depressants decrease its ability to react.

Illicit drugs also carry a high risk of psychological or physical dependence, i.e., the user starts to count on the drug to regulate their mood and is unable to perform routine activities without using the drug. When the body develops tolerance for and dependence on a drug, then physical dependence (addiction) is the result. The body is unable to function without an adequate supply of the drug and will have withdrawal symptoms when the supply is not adequate. Withdrawal may be as minor as discomfort (headache, restlessness, and irritability) or result in major symptoms such as grand mal seizures, coma, and death.

There is no certain way to know who is most likely to develop dependence, but it is known that people who have developed dependence on alcohol or have family members who are dependent on alcohol or drugs are at greater risk. Those who are frequently depressed have suicidal thoughts, have hallucinated or delusions should avoid street drugs because using them could make the illness worse, or cause a relapse.

## 2. Creighton Policy

As an academic institution, Creighton University's goal is to alleviate the problem of illegal drug use, preferably in a manner that educates rather than one that punishes. However, Creighton community members are subject to the same local, state, and federal laws that govern all citizens, including those laws that concern the use, sale, and possession of drugs. Therefore, persons engaging in such illegal actions will be subject to disciplinary procedure up to and including suspension and expulsion. Individuals cannot be protected by the University from the possible additional legal consequences of their acts.

The University policy concerning illegal drugs is as follows:

- a. Creighton University considers the use, possession, cultivation, sale, distribution, or transfer of any unlawful drug, including marijuana, unacceptable behavior that is incompatible with the educational goals of the university.
- b. Students are considered to be responsible adult citizens, and as such, are subject to civil law. In accordance with federal as well as state and local laws, the illegal use, possession, cultivation, sale, distribution or transfer of any drug, narcotic, or hallucinogenic substance including marijuana is strictly prohibited on University property.
- c. Knowledgeable association in an environment where illegal substances are being used constitutes grounds for disciplinary action.
- d. Misconduct resulting from the illegal possession, consumption, sale or transfer of drugs or narcotics renders the person subject to action ranging from rehabilitation, probation, dismissal from the residence halls, up to and including suspension or dismissal from the University.
- e. The University's disposition of individual cases does not preclude criminal prosecution in accordance with federal and/or state laws. Due process guaranteeing fundamental fairness, as determined by the University community, shall be adhered to in the treatment of these matters.
- f. See also: [Creighton University Policy 2.2.15 on Drug and Alcohol Use](#) which complies with the Drug-Free Schools and Communities Act.
- g. Felony-level controlled substances include cocaine, heroin, and other "hard" drugs, as well as THC wax/oil in any quantity and prescription drugs that are not prescribed to the person possessing or using them; Public Safety will take custody of these substances and contact the Omaha Police Department.
  1. For documentation purposes, Public Safety will photograph any items that are destroyed and will document property destruction using two witnesses.
  2. If a student does not wish an item to be destroyed and/or disputes the identity or use of the item in question, Public Safety must be notified at the time of confiscation and will hold the item until it can be identified; otherwise, items in the "Destroyed or Disposed" category will be destroyed immediately and may not be reclaimed.
  3. Students wishing to reclaim other confiscated items must submit a written request to the office holding the item within 5 business days of the confiscation. After this time, items may be destroyed or disposed with two witnesses.

**Marijuana 101: Drug Use/Possession Course** - In response to concerns that students who have been through the Community Standards process for drug use multiple times without effective outcomes, the Office of Community Standards and Wellbeing has researched and found a course to continue the education of students and foster critical thinking skills. In alignment with the Jesuit values and tenants of Cura Personalis, Magis, and the Creighton Student Credo, this program was researched with the intent of growth of the whole person. After an incident involving the possession/use of illegal substances, it is important to see the students as individuals, and this process aims to lead all its members in discovering and embracing the challenging responsibilities of their intelligence, choices, and future. We believe this



program is a valuable tool to combat attitudes and choices concerning drug use, and more specifically marijuana use.

### 3. Douglas County (Omaha) and Nebraska State Laws Regarding Controlled Substances

- a. It is unlawful to knowingly or intentionally: (a) Manufacture distribute, deliver, dispense or possess with intent to manufacture, distribute, deliver or dispense a controlled substance; or (b) to create, distribute, or possess with intent to distribute a counterfeit controlled substance
- b. Any person who violates subsection (1) with respect to cocaine or any mixture or substance containing a detectable amount of cocaine in a quantity of:
  - i. At least 28 grams but less than 140 grams shall be guilty of a Class IC felony;
  - ii. At least 10 grams but less than 28 grams shall be guilty of a Class ID felony.
- c. Any person knowingly or intentionally possessing marijuana weighing more than one ounce but not more than one pound shall be guilty of a Class III misdemeanor.
- d. Any person knowingly or intentionally possessing marijuana weighing more than one pound shall be guilty of a Class IV felony.
- e. Any person knowingly or intentionally possessing marijuana weighing one ounce or less shall:
  - i. For the first offense, be guilty of an infraction, receive a citation, be fined \$300, and may be assigned to a drug abuse course;
  - ii. For the second offense, be guilty of a Class IV misdemeanor, receive a citation, and be fined \$400 and may be imprisoned not to exceed 5 days;
  - iii. For the third and all subsequent offenses, be guilty of a Class IIIA misdemeanor, receive a citation, be fined \$500, and be imprisoned for not more than 7 days.
- f. Concentrated cannabis is a highly potent extract of tetrahydrocannabinol, or THC. This deviation of traditional marijuana is considered a controlled substance and is treated differently than marijuana.
- h. It is unlawful for any person to be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings. In a prosecution under Nebraska's controlled substance laws, it is not necessary for the state to prove that the respondent was under the influence of any specific controlled substance, but it shall be sufficient for a conviction for the state to prove that the respondent was under the influence of some controlled substance by proving that the respondent manifested physical and physiological symptoms or reactions caused by the use of any controlled substance. Any person who violates this section shall be guilty of a Class III misdemeanor.

### 4. Off-Campus Drug Use

Student organizations holding off-campus events are responsible for full compliance with the appropriate state law. If illegal drugs are present at the event, the organization will be referred to the appropriate hearing body for review of the reported violations of the Standards of Conduct and/or Student Organization Guidelines. Additionally, individual members, including the organization's officers, may be held accountable for their personal behavior as well as the behavior of their guests.

#### Violations

Violations of the Drug Policy will be referred to the Office of Community Standards and Wellbeing for the appropriate action. Violations of the policy will be subject but not limited to:

- i. fines;
- ii. suspension of University approval for the sponsoring organization or group;
- iii. other University disciplinary action.

## 5. Use and Possession of Mind-Altering Substances

It is a violation to use or possess mind altering substances that may be intended to create a hallucinogenic affect, as such substances represent a potential risk to the health and safety of students. Anyone found to use or possess hallucinogenic substances not otherwise covered by this policy will be reported and referred to the Office of Community Standards and Wellbeing for discipline.

## J. Electioneering

Signs are prohibited on the outside of buildings. The CSU Election Commissioner should be consulted before any campaign signs are posted. For additional information, please refer to the [Posting Policy](#).

## K. Fair, Responsible, and Acceptable Use Policy for Electronic Resources Scope

This policy applies to all users of computer resources owned or managed by Creighton University, including, but not limited to, CU faculty and visiting faculty, staff, students, external persons or organizations and individuals using CU resources to access network services, such as the Internet and Intranet.

All users of Creighton University electronic resources are expected to utilize such resources in a responsible, ethical, and legal manner consistent with the Creighton University mission and policies.

### Violations/Enforcement

Any known violations of this policy should be reported to the University's Information Security Officer at (402) 280-2386 or via e-mail to [infosec@creighton.edu](mailto:infosec@creighton.edu).

If University network resources and privileges are threatened by improperly maintained computing devices, Information Security and IT may act on behalf of the University to eliminate the threat by working with the relevant system administrator to quickly patch security holes. In circumstances where there is an urgent situation requiring immediate action, the device may be disconnected from the Network by Information Security or IT. To view the complete policy, click [here](#). Please see other Information Technology policies [here](#).

## L. Fleeing Student Policy

Students who are at the scene of an incident where there is concern for students' safety or where conduct violations may have occurred are expected to remain at the scene of the incident until they are released by responding University staff. If a student leaves (flees) the scene of an incident without permission, the staff member will contact the student via any means possible in order to request the student's return to the scene. This includes, but is not limited to, phone, text message, or contacting the student's parent/emergency contact. Failure to return to the scene could result in disciplinary action.

## M. Food on Campus

Creighton University contracts its food service through Sodexo Campus Services (also known as Creighton Dining). All food and beverage provided on campus must be purchased from Creighton Dining.

The University recognizes the importance of food menus to the success of certain educational and culturally diverse programs. Therefore, in the following cases the sponsoring registered organization or university department **MAY** be eligible for a waiver of catering exclusivity:

- Ethnic food banquets when Creighton Dining is not capable of providing authentic ethnic foods.
- Fundraisers (only registered student organizations are eligible).
- Promotional activities (only registered student organizations are eligible).

Individuals or organizations requesting exceptions to this policy should fill out a request form found on [CUInvolved](#). The Senior Director of Housing & Auxiliary Services will determine if the organization is eligible for

an exception. If approved, guidelines will be provided on the safe procurement and distribution of food items for sale. Questions about this policy can be sent to [cateringexclusivity@creighton.edu](mailto:cateringexclusivity@creighton.edu).

## **N. Freedom of Expression and Active Dialogue**

This [policy](#) provides guidance in reconciling possible or perceived conflicts between Creighton's commitments as a Jesuit, Catholic institution and its commitments as a university when events, activities and demonstrations are hosted, sponsored, or funded by any Creighton University entity, while ensuring the orderly functioning of the University and a safe learning environment.

Creighton University strives to be a community that is dedicated to the pursuit of truth in all its forms and to the betterment of society. As a University, Creighton is committed to its role as an academic institution in which the widest possible freedom of expression and openness to diverse ideas should be responsibly presented and examined. It is because of these commitments that we embrace freedom of thought and expression. Essential elements in the Ignatian tradition offer emphases on encouragement of active dialogue and on the innate dignity of each member of our community.

As Catholic, Creighton is committed to identification with a specific religious tradition and all of its essential values. This includes critical examination of ideas and perspectives which may be or may appear to be incompatible with its Catholic tradition and mission.

Non-members of the University community who participate in demonstrations and similar activities, which violate the above guidelines, render themselves liable to legal action.

## **O. Fundraising**

Creighton recognizes that fundraising activities are often utilized by student organizations. However, no student may use University facilities (without charge) for personal gain. All student organizations wishing to hold a fundraiser must have a completed and approved fundraising form on file in the Student Leadership & Involvement Center prior to securing room or mall reservations and prior to the event.

## **P. Gambling Policy**

Students are expected to abide by the federal laws and the laws of Nebraska prohibiting illegal gambling, including online gaming. Gambling for money or other things of value on campus or at University-sponsored activities is prohibited except as permitted by law. Such prohibited activity includes, but is not limited to: betting on, wagering on, or selling pools on any University athletic event; possessing on one's person or premises (e.g., room, residence unit, car) any card, book or other device for registering bets; knowingly permitting the use of one's premises or one's phone or other electronic communications device for illegal gambling; knowingly receiving or delivering a letter, package or parcel related to illegal gambling; offering, soliciting or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to athletic events.

## **Q. Group Activity / Demonstrations**

Creighton University is an academic community founded upon a belief in rational dialogue and mutual respect among its members. The opportunities for communication with the University are many and varied and the University welcomes suggestions for enlarging or improving them. The nature of the academic community demands that all members strive to maintain the rational dialogue which is the cornerstone of the University. There is no issue, be it a question of academic and administrative policy or of student rights and freedoms that cannot be approached within the

framework of free discussion. The University also acknowledges the rights of members to express their views by way of individual or collective activity.

For reason of general information, assistance, and courtesy, as well as good order, the University requires that those contemplating demonstrations and similar activity make their intentions known in advance to the Vice Provost for Student Life or their designee for approval.

- Students who participate in demonstrations and similar activities which interfere with the rights of others or the orderly functioning of the University or civic community are subject to disciplinary action.
- Additionally, students who continue to disrupt the institution after being requested to disperse by the University, subject themselves to legal action. Non-members of the University community who participate in demonstrations and similar **activities, which violate the above guidelines, render themselves liable to legal action.**

For more information and details, please see: [Freedom of Expression and Active Dialogue](#)

as well as [Freedom of Expression site on the Student Life Community](#) page

## R. Harassment

Any form of harassment or discrimination is a violation of human dignity. The University strongly condemns any such harassment or discrimination. Whether verbal or physical, conduct of this sort violates another person's rights and can create an intimidating, hostile, or offensive working or learning environment.

### Definition of Bullying

Harassment can include bullying, stalking, slurs, comments, rumors, jokes, innuendoes, cartoons, pranks, and other verbal or physical conduct and any other conduct or behavior deemed inappropriate by Creighton University. Allegations of harassment that are not acts of discriminatory harassment will be investigated according to the [Behavioral Misconduct Procedures](#).

### Bullying

Being bullied or harassed means that someone is subjected to deliberate behavior which is hurtful, threatening or frightening and this behavior may be an isolated incident or repeated over time. Any behavior, which sets out to cause other people pain or unhappiness, may be regarded as bullying.

**Bullying is not in the intention (e.g., just joking around) but in the perception of the behavior against another party. Bullying or harassment can take many forms, and without limiting its forms may include:**

- **Physical Bullying:** any intentional and unwelcome use of physical contact or deliberate property damage. It includes fighting, pushing, interfering with another's property by stealing, hiding, damaging, or destroying.
- **Verbal Bullying:** use of language to threaten or hurt. This includes name-calling, offensive language, putting people down, backstabbing, and making degrading comments about another's family, religious, social, or racial background.
- **Exclusion Bullying:** leaving someone out on purpose to cause feelings of non-acceptance. It includes spreading malicious rumors, writing on posters/walls/books etc.
- **Extortion Bullying:** use of threat or power to obtain favor or goods, e.g. bullying others to provide food, money, or schoolwork.
- **Gesture Bullying:** use of non-verbal signals to cause intimidation or fear.
- **Electronic Bullying:** use of language or images to threaten and hurt by electronic means.

(SMS text, emails, web sites, video, or other electronic means) (See Fair, Responsible, and Acceptable Use for Electronic Resources).

- **Psychological Bullying:** spreading rumors, excluding, stalking, dirty looks, hiding or damaging possessions.

Any other conduct that is intimidating, unwelcome or uninvited – e.g. “Just Joking” which can cause discomfort to others.

## S. Hazing and Initiation

The University strictly prohibits [hazing](#) - in any form, at any time - including hazing in connection with training, indoctrination, qualification for membership, functions or activities, or initiations conducted or sponsored by any student organization, athletic team, or group of students. Hazing includes any action taken or situation created, whether on or off campus, intended to produce or which may foreseeably produce unusual or unnecessary mental or physical discomfort or pain, embarrassment, harassment, ridicule or risk of physical, mental or emotional harm or injury.

[Hazing](#) also includes any action or situation which is intended to be or which may foreseeably be morally, physically, emotionally or mentally degrading to any individual, or which unnecessarily exposes any individual to any risk of physical, mental or emotional harm, injury or distress beyond the risks encountered in ordinary daily life, or which is intended to intimidate or has the effect of intimidating any individual to unwillingly or reluctantly engage in any activity, or which unreasonably interferes with scholastic activities or pursuits of any individual.

As examples, hazing includes, but is not limited to, any conduct or method of initiation into or participation in **any student organization, athletic team, or other student group** which willfully or recklessly endangers the physical or mental health of any student or other person, including, but again not limited to: whipping, beating, or branding; forced, coerced or required calisthenics or physically exerting activities; exposure to weather or the elements; forced, coerced or required consumption of any food, liquor, beverage, drug or other substance; any brutal or cruel treatment; and any activity which subjects any student or other person to extreme mental stress, including any extended deprivation of sleep or rest or extended isolation.

Any form of [hazing](#) is contrary to the **Student Credo of Creighton**. Any individual, who believes she or he has been subjected to or has knowledge of hazing, should report the violation as soon as possible to the **Office of Community Standards and Wellbeing at (402) 280-2775**.

The University fully reserves to University officials the authority to interpret this policy, and to apply the policy as so interpreted, to the actions of University students and organizations, as University officials in their discretion deem appropriate under the circumstances.

[Serious disciplinary action](#) will be imposed by the University upon any student or student organization, athletic team, or group of students found in violation of this policy, up to and including revocation of the charter of, and/or withdrawal of University privileges from, a student organization, athletic team or student group and suspension or dismissal from the University of individual students determined to have violated this [policy](#).

## T. Immunization Requirements

All Creighton University students are required to comply with the University's immunization requirements. Students receive approval for course registration upon the completion and verification of their immunization records as coordinated by The Health Education and Compliance Office. Failure to meet these requirements will result in denial of class registration privileges. Immunization requirements apply to all students.

International students, health science students and residential students (living in campus housing) have specific requirements. The Health Education and Compliance Office is the official record keeper for Creighton University regarding student immunizations and University immunization requirements. Please consult the [Health Education and Compliance Office immunization website](#) for additional details.

- Residential Students:  
Students must have immunization requirements completed and immunization records verified by The Health Education and Compliance Office prior to registering for classes and prior to receiving a housing assignment. Students who are in process of completing immunization requirements (i.e., have started a series for the first time) may be granted class registration and/or housing assignment privileges at the discretion of The Health Education and Compliance Office.
  - Immunization Exemptions:
  - Exemptions to the University immunization requirements are considered for students who have a documented medical contraindication to receiving immunizations.
  - Religious exemptions are not accepted.
  - Completed exemption forms are reviewed by The Health Education and Compliance Office Medical Director.

## U. Indebtedness to the University

A student in debt to the University will not be permitted to register for the following semester; nor will they be entitled to receive a transcript of their credits until this indebtedness has been settled. This regulation applies to student indebtedness to the University only and not indebtedness to student organizations. Failure to pay any balance on your student account when due may result in the cancellation or administrative withdrawal of a student's registration for the current term.

## V. Insurance Requirement

All Creighton University students are required to have Comprehensive Health Insurance. **(Emergency only coverage does not satisfy this requirement)** This is required for ALL full-time, degree seeking students\* and must include the following:

- National Coverage for inpatient and outpatient **medical** care.
- National Coverage for inpatient and outpatient **mental** health care.
- Coverage is currently active and maintained for the entire school year, including summers.
- Offers an unlimited lifetime maximum.

\*Undergraduate: 12 credits/semester; Graduate: 8 credits/semester

Enrollment in the University endorsed Health Insurance Plan is **automatic** for all full-time students. Health Education and Compliance is the official record-keeper for the University regarding the insurance requirement.

**\*NOTE:** The premium for the University-endorsed Health Insurance Plan will remain on the student's account unless the waiver process is properly completed before the deadline. **This information is required on an annual basis.**

Part-time students are **not** eligible for the University's endorsed Health Insurance Plan but are strongly encouraged to have coverage while attending Creighton. Any student in need is encouraged to contact Student Health Education and Compliance for assistance in determining options for coverage.

When Health Education and Compliance becomes aware that the student's insurance coverage is not compliant with university requirements, the following will occur:

- Automatic enrollment into the University endorsed plan
- The tuition statement will reflect a charge for the entire premium

### **Creighton University Student Health Insurance Plan**

As a service to students, the University endorses a comprehensive health insurance plan. This plan is available at a reasonable group rate and provides year-round coverage, wherever the student may be, as long as the semi-annual premium is paid.

For additional information please contact [The Health Education and Compliance Office](#)

Phone: (402) 280-2735

Fax: (402) 280-1859

## **W. Mandatory Reporters**

The University requires all faculty and staff to report incidents of harassment, discrimination, sexual and/or relationship misconduct to the Office of Equity and Inclusion. This includes employees who may have a professional license requiring confidentiality if they are not employed by the University in that professional role. Student employees, in the administration of their job duties, are also considered mandatory reporters of harassment, discrimination, sexual and/or relationship misconduct.

**Individuals at Creighton University who are not considered mandatory reporters of harassment, discrimination, sexual and/or relationship misconduct (i.e. confidential staff or faculty):**

- Counseling staff at Student Counseling Services
- Violence Intervention and Prevention (VIP) Center staff (Associate and Assistant Directors)
- Clergy in the rite of confession

In addition to incidents of harassment, discrimination, sexual and relationship misconduct, the University requires mandatory reporters to report the following:

- Reports of serious crimes covered by the Clery Act must be reported to the Department of Public Safety (e.g., motor vehicle theft, burglary, aggravated assault, etc.)
- Reports of concerning and disruptive student behaviors must be reported to the Office of the Vice Provost for Student Life
- Reports of concerning and disruptive faculty or staff behaviors must be reported to Human Resources
- Any behaviors by students, faculty, or staff that are immediate and are an emergency must be reported to the Department of Public Safety

**All individuals in the state of Nebraska are mandatory reporters of child abuse and neglect. Reports of suspected child abuse and neglect must be made to local authorities or the Nebraska child abuse hotline at 1-800-652-1999. Confidential staff and faculty must also report suspected child abuse and neglect.**

Additional information on the Mandatory Reporters Policy is available [here](#).

## **X. Missing Students Notification Policy**

All institutions that receive federal funding and have a housing program must have a policy regarding missing student notification for students who reside in on-campus housing facilities, as well as procedures for notifying a person of the resident student's choice should that resident student go missing. This notification must be made within 24 hours of the institution learning that the student is missing.

All students who live in on-campus housing are affected by this policy. Certain additional conditions apply for those residential students who are under the age of 19 and not emancipated at the time they are believed to be missing.

- On-campus housing means a residential facility for students that are located on the University's campus.
- Campus means any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to the University's educational purposes, including residence halls.

### **Designation of Emergency Contact Person**

During the annual contracting for residential space each residential student will be given the option to identify an individual whom the University will contact within 24 hours of the University being notified that the student has gone missing. The contact does not have to be a parent or guardian. The student may opt out of this provision.

Emergency contact information will be registered confidentially. This information will be retained in a confidential digital database, will only be accessible to authorized campus officials, and will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

### **Where to Report a Missing Student?**

If any person believes that a student is missing, they should immediately report this information to Public Safety at (402) 280-2911.

Important information to share includes:

1. Name of the missing student and the student's campus residence.
2. Name and contact information of the reporting person.
3. Relationship of the reporting person to the missing student.
4. Missing student's employer, if applicable and known.
5. When and where the student was last seen and under what circumstances.
6. Any information about the student's condition that might be helpful in determining the whereabouts of the student, such as:

Has the student been in good health or has otherwise been of any concern to the reporting person?

Did the student have any known travel plans or plans with others?

How often does the reporting person typically see or contact the missing student?

Has the reporting person received any recent emails or texts from the missing student?

Has the student been under any unusual pressures?

Is there any reason to believe the student might be in danger?

Has the reporting person contacted any law enforcement agency or the student's parents or guardians?

All missing student reports made to an office other than Public Safety will be immediately referred to Public Safety for investigation. The Director of Public Safety will notify the Critical Incident Response Team (CIRT) of the missing student report and update this group as the investigation progresses.

A University representative will attempt to contact the student by:

- Calling the student's personal cell phone on record.
- Entering the student's campus residence room or apartment.
- Reviewing access card activity.
- Contact the student's faculty members and check class attendance.
- Contact friends, roommates, employers, co-workers, or other acquaintances.



- Check social media accounts for additional information.

If Public Safety determines that the student has been missing for more than 24 hours, the emergency notification procedures outlined below will be initiated.

### **Emergency Notification Procedures**

If the resident student has been determined to be missing by Public Safety or local law enforcement, Creighton University will contact the student's emergency contact person within 24 hours of determining that the student is missing.

If a student is under 19 years of age and not emancipated, Creighton University will also notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any contact person the student has designated.

Creighton University will also notify local law enforcement within 24 hours of the determination that the student is missing, unless the law enforcement agency was the entity that determined the student was missing.

## **Y. Non-Discrimination Policy**

### **PURPOSE**

In accordance with its history, mission, and credo, Creighton University believes that each individual should be treated with respect and dignity and that any form of harassment, discrimination, and/or retaliation is a violation of human dignity. The University condemns and prohibits these and will take all reasonable efforts to prevent such conduct and promptly address conduct found to be in violation of this [policy](#).

Consistent with the University's Non-Discrimination Notice, it is the [policy](#) of the University to provide a workplace and an educational environment, as well as other education programs, and activities, that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of its educational programs and activities, Creighton University has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of Harassment Discrimination, and/or retaliation.

Harassment, Discrimination, and Retaliation are considered serious violations of University policy. Due to their serious nature, allegations of these types of violations are resolved under this policy and not through other disciplinary processes at the University (e.g. University Committee on Student Discipline, Faculty or Academic Council, Department of Human Resources). The full range of University discipline, including separation, termination, suspension, and expulsion, may be imposed. For a complete list of potential institutional actions, please reference [Section VI, Sanctions in the Procedures](#).

The purpose of this [policy](#) is:

- To communicate processes for investigating complaints in a manner that is fair, equitable, and reasonably protects the privacy of individuals involved in situations of harassment, discrimination, and/or retaliation.
- To enable Creighton University in its efforts to provide a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination

- To enable Creighton University in its efforts to protect those individuals who report or provide information related to alleged violations of this policy and all of those individuals involved in the investigation or adjudication of this policy from retaliation of any kind.
- To promote compliance with federal and state civil rights laws, fulfill all obligations as required by law, including but not limited to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), the Violence Against Women Act of 1994, (see 42 U.S.C. § 13701 et seq.; reauthorized 34 U.S.C. § 12291), and the Clery Act (see 20 U.S.C. § 1092.)and Section 504 of the Rehabilitation Act of 1973 (see 29 U.S.C. 701), and Title III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181 et seq).
- To set forth guidance for preventing harassment, discrimination, and/or retaliation.
- To enable Creighton University in its efforts to take timely corrective action when harassment, discrimination, and/or retaliation is alleged to have occurred; and
- To establish a consistent process for resolving complaints of harassment, discrimination, and/or retaliation in a fair and just manner.

## Z. Nondiscrimination Statement

Creighton University is committed to providing a safe and nondiscriminatory educational and employment environment. The University admits qualified students, hires qualified employees, and accepts patients without regard to race, color, religion, sex, marital status, national origin, age, disability, citizenship, sexual orientation, gender identity, gender expression, veteran status, or other status protected by law. Its education and employment policies, scholarship and loan programs, and other programs and activities, are administered without unlawful discrimination.

Sexual harassment, including sexual violence, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. The University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment.

It is the policy of the University to make all programs and services available to individuals with disabilities. Inquiries concerning rights and responsibilities under Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 should be directed to the Executive Director for the Office of Equity and Inclusion (see below).

To obtain information on accessibility of buildings and programs or to report problems of accessibility, please contact Human Resources (for employees), Cardiac Center- 3006 Webster St. or by telephone 402.280.2709 or Office of Disability Accommodations (for students), Old Gym 437, or by telephone 402.280.2166.

The United States Department of Education's [Office for Civil Rights \(OCR\)](#) enforces Title IX and Section 504.

## AA. Official Means of Communication

The Creighton University assigned email account shall be the official means of communication with all students. All students are responsible for all information sent to them via their University assigned email account. Students who choose to manually forward mail from their University email accounts are responsible for ensuring that all

information, including attachments, is transmitted in its entirety to the preferred account.

All students are required to maintain a @creighton.edu email account. This account provides both an online identification key and a University Official Email address. The University sends much of its correspondence solely through email. This includes, but is not limited to, policy announcements, emergency notices, meeting and event notifications, course syllabi and requirements, and correspondence between faculty, staff, and students. Such correspondence is mailed only to the University Official Email address.

Students are expected to check their email on a frequent and consistent basis in order to stay current with University-related communications. Students have the responsibility to recognize that certain communications may be time critical.

## **BB. On-Campus Posting Policy and Procedures**

The purpose of the On-Campus Posting Policy and Procedures is to ensure students, faculty, and staff adhere to a standard set of guidelines when posting/advertising on campus. This policy creates consistency for faculty, staff, and students regarding posting/advertising on campus.

### **Administration of Policy:**

The Student Leadership & Involvement Center administers this “On-Campus Posting Policy and Procedures.” Any questions related to this policy, procedures and posting locations should be directed to the Director of the Student Leadership & Involvement Center or their designee. Appeals to denials may be made to the Vice Provost for Student Life or their designee. The Student Leadership & Involvement Center will regularly clear the posting locations of outdated material(s).

Any posting/material not delineated below needs to be approved by the Student Leadership & Involvement Center. Approvals of this nature are rare.

### **Compliance Standards:**

All materials must be in compliance with the following:

1. The content of all materials displayed on Creighton’s campus must be in alignment with the university’s mission and conform to the Creighton University Code of Conduct and University policies.
2. Demeaning, sexual, racial, or other discriminatory references are prohibited in materials.
3. Materials may be on display for two weeks unless approved and stamped for a longer period of time. All postings must be removed within 24 hours of the event’s conclusion.
4. All academic-related and University department postings should adhere to the Creighton Brand Standards.
5. All postings with any reference, or implied reference, to alcohol must conform to the University Alcohol Policy and the “Guidelines for Promotion of Events where Alcohol will be Served.”

### **Content Guidelines:**

The following should appear on all postings:

1. The name of the sponsoring organization, school, college, division, vendor or individual.
2. Contact information (phone, email, website).
3. The name, date, time, and location for the event, if applicable.
4. The cost associated with the event being advertised, if applicable.
5. For fundraising activities/events, the name of the individual or organization benefiting must be present. \*

- All lottery and raffle winners will be announced to the University community using official forms of communication.

### **Approval Procedure:**

All promotional materials include but are not limited to flyers, table tents, yard signs, sandwich boards, chalking, indoor and outdoor banners, sidewalk signage and indoor floor clings. These materials must be approved and adhere to the above “Compliance Standards” and “Content Guidelines.”

Student promotional material(s) content, except for flyers, need approval from the Student Leadership & Involvement Center via CU Involved prior to printing or purchase of material.

Faculty and staff material(s) content need approval by University Communications and Marketing prior to printing or purchase of materials.

Alcohol:

Postings with any reference, or implied reference, to alcohol must be approved by the Student Leadership & Involvement Center before posting. It must conform to the compliance standards and content guidelines, the University Alcohol Policy and the “Guidelines for Promotion of Events where Alcohol Will be Served.”

Fraternity and Sorority Life:

All postings for fraternity and sorority recruitment require the approval of the Assistant Director for Fraternity Life and Leadership or the Assistant Director for the Sorority Life and Leadership or their designee.

Residence Halls: Approval from the Housing and Auxiliary Services must be obtained for all materials placed on residence hall floors, lobby bulletin boards or any other area of the residence halls. Generally, posters/flyers can be delivered to Housing Services (Swanson 136) to be hung on the residence hall floors.

**Promotional Materials:**

The following promotional materials must be approved prior to printing and posting:

Campus Posting Bulletin Boards:

There are 11 official Campus Posting Bulletin Boards on the main university campus as a service to students, schools, colleges, divisions, organizations, and off-campus vendors.

Campus Posting Bulletin Board guidelines include:

1. Materials may be displayed only on boards marked “Campus Posting.”
2. Materials may not be attached to building walls, trees, hallways, doors, stairwells, or any painted surface.
3. Posters and flyers may not exceed 18” x 24”.
4. Only one copy of a poster or flyer may be displayed per bulletin board.
5. Only staples and pushpins may be used to hang flyers on the boards, no tape, or adhesives.
6. Sponsors must supply their own pins or staples when posting.
7. Sponsors are responsible for posting their materials.

Chalking:

Chalk must be washable (not spray chalk), and must be removed by the registered student organization, University department or University vendor one day after the event (unless approved otherwise.) To reserve locations, contact the Reservations Office at 402.280.1700 or make a reservation online in 25 Live.

Digital Signage:

Please see the University’s [Digital Signage Policy](#).

Elevators:

Posting in elevators is prohibited.

### Flyers:

Registered student organizations, University schools, colleges and divisions, and University-affiliated vendors may post flyers WITHOUT APPROVAL.

Non-university-sponsored groups and individuals MUST HAVE APPROVAL from the Student Leadership & Involvement Center. This includes off-campus vendors and individuals advertising merchandise, products, services, or information, and/or any event not officially sponsored by registered student organizations, University schools, colleges, or divisions.

Approval is granted after the materials have been properly registered, compliance with “Compliance Standards” has been verified, and materials have been stamped “Approved for Posting.”

### Handbills:

Promotional materials may not be handed out to students, faculty, and staff on Creighton’s campus – either outside or inside buildings. Promotional materials may not be placed on cars in the University parking lots. This is a violation of Omaha Code 1959 Ord. No. 21486.

### Indoor Banners:

Indoor banners are to advertise specific events/programs only. Reservations are for two weeks, unless otherwise approved. Indoor banner space can be reserved for the Skutt Student Center and outside the dining halls. To reserve locations, contact Student Leadership & Involvement Center.

### Outdoor Banners:

Outdoor banners must use a weatherproof material. Facilities Management must be contacted regarding the hanging of all outside banners on campus at 402.280.2780.

To reserve the location, contact the Reservations Office at 402.280.1700 or make a reservation online in 25 Live.

### Sidewalk Signage/Indoor Floor Clings:

Any material used to create the sidewalk signage and indoor floor clings must be approved by Facilities Management. Minimum temperature of the sidewalk signage application is 50 degrees. To reserve the location, contact the Reservations Office at 402.280.1700 or make a reservation in 25 Live.

### Student Organization Mailboxes:

Special approval to distribute flyers or other promotional materials in university student organization mailboxes must be approved by the Student Leadership & Involvement Center a minimum of ten days prior to the proposed date of mail delivery. Permission will be granted sparingly to help minimize mailbox clutter. Organizations are encouraged to use email, which is the official means of university communication, and in line with the University’s sustainability efforts.

### Table Tents:

Table tents are to advertise specific events/programs only. Reservations are for two weeks. Table tent space is available in the following locations: the Skutt Student Center, Kiewit Fitness Center Spine, and retail/dining food locations. To reserve locations, contact Student Leadership & Involvement Center.

### Yard Signs and Sandwich Boards:

Yard signs and sandwich boards may be left up overnight. Student Leadership & Involvement Center is not responsible if yard signs and sandwich boards are stolen or vandalized. To reserve locations, contact the Reservations Office at 402.280.1700 or make a reservation online in 25 Live.

### Miscellaneous Postings:

Any proposed variation of this posting policy must be proposed to the Director of the Student Leadership & Involvement Center or their designee two weeks prior to the event and prior to posting material production or creation.

#### Creighton Student Union Elections:

CSU election campaign promotions/advertisements must be in compliance with the “On-Campus Posting Policy and Procedures,” as well as adhere to the following:

1. Election materials may not be displayed prior to two weeks before the respective election.
2. All election materials must be removed three days after the election.
3. The CSU Election Commissioner must approve all election materials.

#### **Violations:**

All promotional materials must conform to the policy stated. Violators of this policy may be subjected to: suspension of posting privileges, loss of registration for the sponsoring organization, and/or in extreme cases other University disciplinary action. Materials improperly posted or inconsistent with this policy will be removed, and the violator may be subjected to penalties. If materials are removed no reimbursements will be provided to the organization. The Student Leadership & Involvement Center will provide a three-strike practice to administer this policy. In the event of a violation, a first warning and a final warning will be issued before a loss of privileges will occur.

#### **Student Center Lobby Table Reservations**

1. Tables may be reserved in the Skutt Student Center, the Skinner Mall, or the Kiewit Fitness Center spine on a first come, first serve basis. Please contact Centralized Reservations at (402) 280-1493 to submit a reservation.
2. Registered student organizations and University departments may use the tables free of charge for purposes such as promoting events, holding fundraisers, or recruiting members.
3. Non-University vendors will be allowed to reserve tables for the purpose of generating business or selling products if approved through the Reservations Office. A daily fee will be charged, payable to Creighton University.
4. Each group should identify the purpose of their table through use of a sign or banner
5. Clients are required to remain behind their tables and not actively solicit customers to their locations.

## **CC. One Bed, One Body Policy**

Creighton University recognizes that travel to off-campus events, activities and courses is a beneficial part of the student collegiate experience. The University seeks to provide the safest opportunities and methods of transportation and to mitigate risks that might be associated with student travel. Therefore, the One Bed, One Body policy exists to assist students in their travel planning.

Any activity which is not in accordance with the Judeo-Christian values of Creighton University and the specific doctrinal teachings of the Roman Catholic Church is prohibited. One example of this may be co-habitation. In keeping with the spirit of our existing university policies and expectations, the One Bed, One Body Policy addresses potential areas of co-habitation during off campus travel.

**Under no circumstance may more than one student sleep in a bed regardless of gender (i.e. sleeping bag, cot, and/or personal sleeping area).**

**This policy applies to all trips sponsored, organized, facilitated, or encouraged by Creighton University. This includes but is not limited to students that receive university funding, as well as all students who travel under the Creighton name with their personal and/or group finances (i.e. FLPAs, student organization travel, retreats, service trips, team travel, academic competitions, conferences, etc.).**

**Students who fail to comply with Creighton University policies will be referred to the Office of Community Standards and Wellbeing.**

**Additionally, advisors/moderators/coaches are not to room with students.**

Sponsors of trips (i.e. academic units, university departments, athletics and/or student organizations, etc.) may require additional standards to address the unique requirements associated with a particular type of trip.

## **DD. Respect for the Dignity of the Person**

Creighton University desires to foster a campus community where people can work and learn with respect, dignity, and freedom from discrimination. Individuals deserve to be free from the threat or actuality of physical violence or verbal abuse. Especially intolerable in view of the University's commitment to respect for the person are offenses against persons because of their race, religion, ethnicity, disability, gender or sexual orientation.

Actions or expressions which may cause violent situations, create a clear and present danger of violent situations, or which represent a malicious or willful attempt to demean, degrade or harass members of the University community will not be tolerated. Such actions include, but are not limited to, acts of violence, physical or verbal threats, verbal harassment, slurs, degrading humor, and written materials such as epithets, graffiti or other similar expression.

Persons who believe they are victims of such actions are encouraged to report the incident.

For immediate or emergency assistance:  
Department of Public Safety (402) 280-2911  
Omaha Police Department 911

To make a University report:  
Office of the Vice Provost for Student Life (402) 280-2775  
Office of Equity and Inclusion (402) 280-3189 or [oei@creighton.edu](mailto:oei@creighton.edu)  
Tell Someone (402) 280-4400 or [Tell Someone](#)

For confidential support:  
Violence Intervention and Prevention (VIP) Center (402) 280-3794  
Student Counseling Services (402) 280-2735

Violation of this policy will result in disciplinary action.

## **EE. Retaliation**

Students have the right to be free from retaliation. Threats or other forms of intimidation or retribution against a student who files a complaint, participates in an investigation, appears as a witness at a Standards Panel, or opposes an unlawful act, discriminatory practice or policy, are prohibited and subject to university student discipline procedures. If a student has a complaint of retaliation, the student should use the procedures available under the Student Standards of Conduct, the [Non-Discrimination Policy](#), the [Title IX Sexual Harassment Policy](#) or other policies outlined in this handbook. To make a complaint of retaliation in connection with violations of the Student Standards of Conduct, please contact the Office of Community Standards and Wellbeing at (402) 280-2775.

[The Non-Discrimination Policy](#) identifies retaliation as "an intentional, adverse action taken against a person for making a report of alleged policy violations or for participating in any proceeding under this Policy. Adverse action is any conduct that seeks to discourage, threaten, intimidate, harass, or coerce an individual from

engaging in activity protected under this Policy. Retaliation can be committed by or directed towards any individual or group, not just the reporting and responding parties.”

To make a complaint of retaliation in connection with an investigation under the [Title IX Sexual Harassment Policy](#) or the [Non-Discrimination Policy](#), please contact the Office of Equity and Inclusion at (402) 280-4120 or [titleix@creighton.edu](mailto:titleix@creighton.edu).

## FF. Romantic or Intimate Relationship

[This policy](#) identifies the University's position on relationships among students, administrators, faculty, and staff at Creighton University. Specifically, it addresses the following:

- Romantic or intimate relationships between University employees (administrators, faculty, and staff) and students.
- Romantic or intimate relationships between two University employees (administrators, faculty, and staff)
- Romantic or intimate relationships between a student employee and other students

[This policy](#) applies to all employees (administrators, faculty, staff, and student employees) of the University community. Individuals with a faculty appointment, residents sponsored by Creighton University, vendors, independent contractors, and other outside parties who conduct business with the University through affiliation and other agreements will be expected to comply with this policy as specified by the terms of any contract or agreement between the University and such third party.

## GG. Searches

The University reserves the right to search students and guests on any campus property, as well as any items in their possession, if a University official believes that a person is in violation of Creighton University policies or procedures or local, state, or federal laws, including suspected possession of alcohol, whether by someone under the age of 21 or by someone of age transporting alcohol for someone under the age of 21, and suspected possession of drugs, weapons, other illegal or inherently dangerous items, or any items in violation of University policy.

The disposition of items found during a search are summarized in the table below. Some items will be kept by Public Safety, some items will be kept by Residential Life staff, and some items will be destroyed or disposed.

If a student does not wish an item to be destroyed and/or disputes the identity or use of the item in question, Public Safety must be notified at the time of confiscation and they will hold the item until it can be identified; otherwise, items in the “Destroyed or Disposed” category will be destroyed immediately and may not be reclaimed. Students wishing to reclaim other confiscated items must submit a written request to the office holding the item within five business days of the confiscation. After that time has passed, the item may be destroyed or disposed with two witnesses.

If a search uncovers felony-level controlled substances, including cocaine, heroin, and other “hard” drugs, as well as THC wax/oil in any quantity and prescription drugs that are not prescribed for the person possessing or using them, Public Safety will take custody of these substances and contact the Omaha Police Department. The student in possession of these items may be arrested, at the discretion of the responding police officer.



**Confiscation/Destruction Matrix:  
Weapon, Controlled Substances, Drug/Alcohol Paraphernalia and Legal Items**

	Weapons	Controlled Substances	Drug Paraphernalia	Alcohol Paraphernalia	Legal Items	Other
Public Safety	<ul style="list-style-type: none"> <li>•Firearms</li> <li>•Pellet guns</li> <li>•Edged weapons longer than 3.5"</li> </ul>	<ul style="list-style-type: none"> <li>•Felony-level controlled substances</li> <li>•Unknown substances (e.g. pills, liquids, powders)</li> </ul>	<ul style="list-style-type: none"> <li>•Scales</li> <li>•Grinders</li> <li>•Dabs</li> <li>•One-hitters</li> </ul>			<ul style="list-style-type: none"> <li>•Locked safes</li> <li>•Anything else deemed inherently dangerous or potentially illegal</li> </ul>
Residential Life				<ul style="list-style-type: none"> <li>•Empty alcoholic beverage containers with sentimental value (e.g. beer steins, shot glasses, wine glasses)</li> </ul>	<ul style="list-style-type: none"> <li>•Vapes</li> <li>•Clean hookah pipes</li> <li>•Clean bongs</li> <li>•Clean pipes</li> </ul>	Anything that is potentially in conflict with the University rules or values
Destroyed or Disposed		<ul style="list-style-type: none"> <li>•Marijuana (misdemeanor quantities)</li> </ul>	<ul style="list-style-type: none"> <li>•Used bongs</li> <li>•Used glass pipes</li> <li>•Homemade drug odor-masking devices</li> </ul>	<ul style="list-style-type: none"> <li>•Alcoholic beverages in open or closed containers</li> <li>•Empty alcoholic beverage containers</li> </ul>	<ul style="list-style-type: none"> <li>•Tobacco products in use or mingled with drugs</li> </ul>	<ul style="list-style-type: none"> <li>•Fireworks</li> <li>•Butane or propane torches</li> </ul>

## HH. Student Complaint Policy

Creighton University designates the Office of the Vice Provost for Student Life as responsible for receiving, investigating, and potentially resolving student complaints. When related to academic grade disputes, academic integrity issues, behavioral misconduct, financial need, disability, affirmative action, or sexual violence, harassment and discrimination, complaints will be referred to the appropriate University office(s) per Creighton University policies and procedures. No retaliation of any kind shall be taken against a student who articulates a complaint.

### Scope

This policy applies to all University students regardless of school, or college, status, classification, type, or location. Please see: [Student Compliant Policy](#) for more detail.

## II. Title IX Sexual Harassment

### Purpose of policy

In accordance with its history, mission, and credo, Creighton University believes that each individual should be treated with respect and dignity and that any form of Sexual Harassment is a violation of human dignity. For purposes of this [policy](#), Sexual Harassment includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking. The University condemns and prohibits these actions and will take all reasonable efforts to prevent such conduct and promptly address conduct found to be in violation of this policy.

Consistent with the University's Non-Discrimination Notice, it is the [policy](#) of the University to provide a workplace and an educational environment, as well as other education programs, and activities, that are free

from discrimination, harassment, and retaliation. To ensure compliance with federal and state laws and regulations, including the [U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972 \("Title IX"\) \(see C.F.R. 106 et seq.\)](#), and to affirm its commitment to promoting the goals of fairness and equity in all aspects of its educational programs and activities, Creighton University has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of Sexual Harassment and/or retaliation.

Sexual Harassment and retaliation are considered serious violations of University policy. Due to their serious nature, allegations of these types of violations are resolved under this policy and not through other disciplinary processes at the University (e.g. University Committee on Student Discipline, Faculty or Academic Council, Department of Human Resources). The full range of University discipline, including separation, termination, suspension, and expulsion, may be imposed. For a complete list of potential institutional actions, please reference the Sanctions section later in this [policy](#).

## **JJ. Tobacco-Free Policy**

Creighton University is dedicated to providing a healthy, comfortable, and productive living and working environment for our faculty, staff, students, and visitors. The entirety of campus is tobacco-free; however, the policy is not enforceable on any public sidewalks and streets, unless under the age of 21. Any students under the age of 21 are not allowed to use or possess tobacco per [Nebraska Statute 28-148](#). To review the complete policy, please visit the [website](#)

Creighton University Health Science Phoenix campus is also tobacco free, including vape pens. Per Arizona Law, students under the age of 18 are not allowed by law to possess tobacco per Arizona Statute

## **KK. Weapons on Campus**

[Prohibition of Weapons and Concealed Handguns](#) - All faculty, staff, students, and all other persons are prohibited from carrying a weapon of any kind, including concealed handguns, onto Creighton property or into any Creighton facility.

This prohibition includes concealed handguns that are legally carried under state law. Please see the entire [policy](#) on the General Counsel's [website](#).

A student who violates this policy will be asked to remove the weapon from campus immediately and will be subject to disciplinary action pursuant to the Student Handbook. Further, Creighton may contact the appropriate law enforcement agency if it learns that a student has violated or is violating the policy. The student may also be subject to arrest.

If a student believes that a fellow student has brought a weapon or a concealed handgun onto the premises or intends to do so, the student should alert Public Safety and the Division of Student Life.

## BEHAVIORAL COMMUNITY STANDARDS

Any student who engages in any acts of behavioral misconduct, including **but not limited to** the following, is subject to University disciplinary action, as set forth in Behavioral Misconduct Procedures section of this Handbook (except when there is evidence that a student is in violation of the [Non-Discrimination Policy](#), the [Title IX Sexual Harassment Policy](#) or other policies outlined in this handbook

This list of violations, based off the Creighton University Standards of Conduct, outlines specific actions which negatively impact the University community, and for which students are subject to disciplinary action. **All violations below are also prohibited off-campus** and may result in action by the University if the individuals or community's safety and/or educational opportunities are jeopardized. Prohibited conduct includes, but is not limited to, the following violations:

### STANDARD OF CONDUCT #1

**Act with professional, academic, and personal integrity.**

Violation of Standard #1.1. **Conduct Unbecoming of a Creighton Student:** Conduct on or off campus which reflects poorly on Creighton University, or other conduct prejudicial to the best interests of the University or other students.

Violation of Standard #1.2. **Failure to Comply:** Interfering or failing to comply with the directives of University officials acting in performance of their duties.

Violation of Standard #1.3. **False Information:** Intentionally furnishing false information to any member of the University.

Violation of Standard #1.4. **False Report:** Intentionally, negligently, or recklessly making a false report of misconduct that results in the unneeded utilization of university resources.

Violation of Standard #1.5. **Fake Identification:** Using, possessing, or providing a driver's license or other identification with facts inconsistent with information maintained by the University is a violation of the student code of conduct.

Violation of Standard #1.6. **Fleeing Student:** Students who are at the scene of an incident where there is concern for students' safety or where conduct violations may have occurred are expected to remain at the scene of the incident until they are released by responding University staff.

Violation of Standard #1.7. **Violating Outcomes:** Violating the terms of any disciplinary outcome imposed in accordance with Creighton Community Standards.

Violation of Standard #1.8. **Forgery and Fraud:** Forging, altering, or using any University document or any instrument of identification without proper authorization. The University prohibits and does not tolerate illegal, dishonest, or fraudulent conduct of any nature.

### STANDARD OF CONDUCT #2

**Respect and promote the dignity of all persons.**

Violation of Standard #2.1. **Intoxication:** Any alcohol or drug-related behavior that adversely affects or strains a person's life in regard to physical health; feelings of self-esteem; personal or family relationships; the campus community and its members; educational and occupational goals; or standing in regard to local, state or federal

laws. Students regardless of age are held accountable to this policy if they come to the attention of University officials.

Violation of Standard #2.2. **Harassment:** Any form of harassment or discrimination is a violation of human dignity. The University strongly condemns any such harassment or discrimination. Whether verbal or physical, conduct of this sort violates another person's rights and can create an intimidating, hostile, or offensive working or learning environment.

Harassment can include bullying, stalking, slurs, comments, rumors, jokes, innuendoes, cartoons, pranks, and other verbal or physical conduct and any other conduct or behavior deemed inappropriate by Creighton University. Allegations of harassment that are not acts of discriminatory harassment will be investigated according to the Behavioral Misconduct Procedures.

### **Bullying**

Being bullied or harassed means that someone is subjected to deliberate behavior which is hurtful, threatening or frightening and this behavior may be an isolated incident or repeated over time. Any behavior, which sets out to cause other people pain or unhappiness, may be regarded as bullying.

**Bullying is not in the intention (e.g., just joking around) but in the perception of the behavior against another party.**

Bullying or harassment can take many forms, and without limiting its forms may include:

- **Physical Bullying** – any intentional and unwelcome use of physical contact or deliberate property damage. It includes fighting, pushing, interfering with another's property by stealing, hiding, damaging, or destroying.
- **Verbal Bullying** – use of language to threaten or hurt. This includes name-calling, offensive language, putting people down, backstabbing, and making degrading comments about another's family, religious, social, or racial background.
- **Exclusion Bullying** – leaving someone out on purpose to cause feelings of non-acceptance. It includes spreading malicious rumors, writing on posters/walls/books etc.
- **Extortion Bullying** - use of threat or power to obtain favor or goods, e.g. bullying others to provide food, money, or schoolwork.
- **Gesture Bullying** – use of non-verbal signals to cause intimidation or fear.
- **Electronic Bullying** – use of language or images to threaten and hurt by electronic means. (SMS text, emails, web sites, etc.) ([See Fair, Responsible, and Acceptable Use for Electronic Resources](#)).
- **Psychological Bullying** – spreading rumors, excluding, stalking, dirty looks, hiding or damaging possessions.

Any other conduct that is intimidating, unwelcome or uninvited (e.g. "Just Joking" which can cause discomfort to others).

Violation of Standard #2.3. **Harm to Others:** Intentionally or recklessly causing harm by any means to any person. This includes, but is not limited to, physical or verbal actions that can be reasonably determined by the university to have caused physical or emotional harm to another person.

Violation of Standard #2.4. **Harm to Self:** Intentionally or recklessly causing harm by any means to one's self. This includes, but is not limited to, physical or verbal actions that can be reasonably determined by the university to have caused physical or emotional harm to one's self.

Violation of Standard #2.5. **Apprehension of Harm:** Intentionally or recklessly causing the reasonable apprehension of physical or emotional harm to any person, including oneself.

Violation of Standard #2.6. **Threat to Safety:** Intentionally or recklessly threatening campus safety by making or indicating a threat (whether true or false) of fire, bombing, shooting, or other means of violence perpetrated upon the campus community and/or its individual members.

Violation of Standard #2.7. **Hazing:** Any action taken, or situation created, whether on or off campus, intended to produce or which may foreseeably produce unusual or unnecessary mental or physical discomfort or pain, embarrassment, harassment, ridicule or risk of physical, mental or emotional harm or injury. Hazing also includes any action or situation which is intended to be or which may foreseeably be morally, physically, emotionally or mentally degrading to any individual, or which unnecessarily exposes any individual to any risk of physical, mental or emotional harm, injury or distress beyond the risks encountered in ordinary daily life, or which is intended to intimidate or has the effect of intimidating any individual to unwillingly or reluctantly engage in any activity, or which unreasonably interferes with scholastic activities or pursuits of any individual. The express or implied consent of the victim is not a defense to hazing. Apathy or acquiescence in the presence of hazing is also not allowed.

Violation of Standard #2.8. **Failure to promote and respect the dignity of all persons:** Actions that compromise or demean the intrinsic worth of individuals or groups. Actions by any person which do not reflect such respect for others are damaging to each member of the community and hence damaging to the Creighton community. Each member of the community should be free from interference, intimidation, or disparagement in the workplace, the classroom, and the social, recreational, and residential environment.

Violation of Standard #2.9. **Unauthorized Recording/Surveillance:** Capturing or recording audio, video, or photographic images of an individual in a location or under circumstances, in which that person has a reasonable expectation of privacy, including, but not limited to, shower/locker rooms, residence hall rooms, and restrooms, is prohibited. Also prohibited is the storing, sharing, and/or other distribution of such unauthorized surveillance/photography (no matter whether directly or indirectly obtained) by any means, electronic or non-electronic.

### **STANDARD OF CONDUCT #3**

**Respect the policies and procedures of the Creighton University community and the rights of its members both on and off campus, as well as the just laws of the civic community and the rights of its members.**

#### **ALCOHOL**

Violation of Standard #3.1. **Unlawful Possession of Alcohol:** The unlawful possession of alcohol is prohibited. Students under the age of 21 are strictly prohibited from possessing alcohol. Possession is not only defined by the ownership of the alcohol, but also by having or controlling the alcohol; or by allowing alcohol to be possessed in a space over which one has control.

Violation of Standard #3.2. **Unlawful Consumption of Alcohol:** The unlawful consumption of alcohol is prohibited. Students under the age of 21 are strictly prohibited from consuming alcohol.

Violation of Standard #3.3. **Irresponsible Alcohol Use:** Students living in the residence halls and student organizations shall not possess irresponsible amounts of alcohol, nor should they provide irresponsible amounts of alcohol to members, residents, or guests of legal drinking age. Alcohol is only to be used in a responsible manner by individuals over the age of 21. Large amounts of alcoholic beverages are prohibited in the residence halls and at events a reasonable outsider would associate with student organizations. This includes, but is not limited to kegs, handles of liquor, and boxed wine(s), along with beer that contain 7% or more alcohol percentage by volume. Games, behaviors, or devices that promote the rapid consumption of alcohol are similarly prohibited.

Violation of Standard #3.4. **Procurement of Alcohol:** No person shall sell, give away, exchange, deliver, or permit the sale, gifting, or procurement of any alcohol to any person under the age of 21. The consumption of alcoholic

beverages by residents and guests within apartment spaces is permitted only if all residents and/or guests of the suite or apartment are of legal drinking age.

Violation of Standard #3.5. **Misrepresentation of Age:** Misrepresenting one's age to obtain, or attempt to obtain, alcohol when under the age of 21.

Violation of Standard #3.6. **Hosting Alcohol Use in the Residence Halls:** Hosting, sponsoring, or allowing an activity or event in the residence halls involving the use of alcoholic beverages by anyone under the legal drinking age.

Violation of Standard #3.7. **Alcohol Paraphernalia:** Displaying, keeping, or collecting alcoholic beverage containers, or paraphernalia, as decorations, trophies, or means to promote the consumption of alcohol.

### **DRUGS**

Violation of Standard #3.8. **Selling/Distributing Illegal Drugs:** In accordance with federal, state, and local laws, the illegal cultivation, sale, distribution or transfer of any drug, narcotic, or hallucinogenic substance is strictly prohibited. Additionally, the intent to deliver, sell, distribute, cultivate, or transfer illegal drugs is strictly prohibited.

Violation of Standard #3.9. **Unlawful possession of drugs:** In accordance with federal as well as state and local laws, the illegal possession of drugs is strictly prohibited. Possession is not only defined by the ownership of drugs, but also by having or controlling the drugs, or by allowing drugs to be possessed in a space over which one has control. Possession also includes prescription medication that is not kept in a prescription container with identifiable information or is not prescribed to the person in possession.

Violation of Standard #3.10 **Possession of drug paraphernalia:** The possession of drug paraphernalia is strictly prohibited on Creighton's campus. This includes but is not limited to grinders, one-hitters, scales found in conjunction with illegal drugs, bongos (self-made or fabricated), rolling papers, and vape pens used for illegal use.

Violation of Standard #3.11. **Unlawful use of drugs:** In accordance with federal as well as state and local laws, the illegal use of drugs is strictly prohibited.

Violation of Standard #3.12. **Use of drug paraphernalia:** The use of drug paraphernalia is strictly prohibited on Creighton's campus. This includes but is not limited to grinders, one-hitters, scales found in conjunction with illegal drugs, bongos (self-made or fabricated), rolling papers, and vape pens used for illegal use.

Violation of Standard #3.13. **Use and possession of mind altering substances**

It is a violation to use or possess mind altering substances that are intended to create a hallucinogenic affect.

### **COMMUNITY RESPONSIBILITIES**

Violation of Standard #3.14. **Violations of published or other existing University rules:** Violating published or otherwise existing University rules, regulations, or policies including but not limited to provisions of this Handbook, other University publications and residence hall rules and regulations.

Violation of Standard #3.15. **Violation of the Law:** Committing any unlawful or criminal act that violates city, state, or federal law.

Violation of Standard #3.16. **Fair, Responsible, and Acceptable Use Policy for Electronic Resources:** Using University electronic resources in the violation of city, state, federal, or international laws, rules, regulations, rulings; or to otherwise violate any University rules or policies.

Violation of Standard #3.17. **Possession of Stolen Property:** Knowingly taking or maintaining possession of stolen property.

Violation of Standard #3.18. **Theft:** Intentional and/or unauthorized taking of University property or the personal property of others, including goods, services, and other valuables.

Violation of Standard #3.19. **Solicitation:** Soliciting or offering funds or favors to obtain or furnish unauthorized information, materials, goods, or services.

Violation of Standard #3.20. **Unlawful Gambling:** Gambling for money or other things of value on campus or at University-sponsored activities is prohibited except as permitted by law.

Violation of Standard #3.21. **Prohibited Consensual Sexual Conduct:** Any sexual activity which is not in accordance with the Judeo-Christian values of Creighton University and the specific doctrinal teachings of the Roman Catholic Church is prohibited. **Sexual conduct offenses can include the following:**

- Any actions deemed in direct defiance of the doctrinal teachings of the Roman Catholic Church.
- Consensual Sexual Intercourse
- Consensual Sexual Contact
- Co-habitation – evidence that a resident student has allowed another person the permission to live in his or her on-campus housing without the written consent of the Department of Residential Life.

## **SAFETY**

Violation of Standard #3.22. **Telephone Misuse:** Phone calls or recorded messages that threaten, harass, or otherwise bother any person are not allowed. Illegally tampering with voice mail boxes/cable wire will result in serious disciplinary action. Those making prank calls of any nature may be subject to disciplinary action, including but not limited to, the loss of telephone service.

Violation of Standard #3.23. **Misuse of Keys:** Unauthorized possession, use, or fabrication of University keys.

Violation of Standard #3.24. **Possession of Perceived Weapons:** The possession of objects perceived to inflict harm (i.e. toy guns, etc.).

Violation of Standard #3.25. **Use of Perceived Weapons:** The use of objects perceived to inflict harm (i.e. toy guns, etc.).

Violation of Standard #3.26. **Open Flame:** Because of the significant risk of fire and the inability to contain scents to a given room, anything with an open flame is prohibited in the residence halls and apartments. This includes flammable and/or excessively fragrant materials such as candles (whether lit or unlit), incense, and potpourri pots. No open flames may be used in the residence halls, including cigarettes, lighters, pipes, etc.

Violation of Standard #3.27. **Explosives:** The use, possession, or manufacturing of fireworks, explosives, or any other substances designed to cause injury to others, damage property, or interfere with University activities.

Violation of Standard #3.28. **Disregard for Safety of Self or Others:** Intentionally or recklessly damaging or misusing security or fire safety equipment, or failure to follow safety directives from the University, including the failure to abide by safety directives from University officials during fire alarms, safety drills, and civil defense alarms in university buildings and university property. This also includes throwing, dropping, or causing any object to fall from building.

Violation of Standard #3.29. **Unauthorized Entry:** Trespass or unauthorized entry into any building, space, or facility.

## **STANDARD OF CONDUCT #4**

**Support the personal, professional, academic, and vocational development of the members of the Creighton University community.**

Violation of Standard #4.1. **Allowing violations to occur:** Knowingly, freely, or negligently allowing violations of University rules and regulations to take place. This includes behavior that aids, attempts, assists, promotes, condones, encourages, requires, conceals, or facilitates any act prohibited by this handbook. Allowing, permitting, or providing an opportunity for a guest to violate University policy is also prohibited.

Violation of Standard #4.2. **Presence of Alcohol:** Students under the age of 21 shall not be in the presence of alcohol in the residence halls.

Violation of Standard #4.3. **Presence of Drugs:** Knowledgeable association/presence in an environment where illegal substances are being used constitutes grounds for disciplinary action.

Violation of Standard #4.4. **Weapons:** (see [Prohibition of Weapons and Concealed Handguns](#)) – violation of the policies associated with weapons on campus or in the Residence Halls.

Violation of Standard #4.5. **Arson:** Intentionally setting and/or fueling a fire.

Violation of Standard #4.6. **Vandalism:** Intentionally, negligently, or recklessly destroying, damaging, or defacing the property of others.

Violation of Standard #4.7. **Freedom of Expression:** Intentionally or substantially interfering with others freedom of expression.

Violation of Standard #4.8. **University Activities:** Intentionally or recklessly interfering with University sponsored activities.

Violation of Standard #4.9. **Tobacco Use:** Tobacco use (cigarettes, cigars, smokeless tobacco, electronic nicotine delivery systems, etc.), is prohibited in all areas of campus (including residence halls) at Creighton University. Smoking or use of other tobacco products by students under the age of 21 is prohibited in all areas of campus (including residence halls) at Creighton University and off campus.

Violation of Standard #4.10. **Unlawful Possession of Tobacco:** Possession of tobacco products, tobacco paraphernalia, and any product intended to deliver nicotine is prohibited for students under the age of 21 and on campus at Creighton University. This includes, but is not limited to, cigarettes, cigars, cigarillos, hookah products, smokeless tobacco, e-cigarettes, and Juuls.

Violation of Standard #4.11. **Domestic Animal Policy:** For health and safety reasons, cats, dogs, birds, and other animals are prohibited in residence hall rooms and apartments. The two allowable exceptions are fish in small



aquariums (under 10 gallons) and animals belonging to those that have a documented disability through the Office of Disability Accommodations. No animals will be allowed to remain in the hall when the halls are closed. Students violating the Domestic Animal policy will be charged for any removal and/or cleaning costs incurred because of their animal. Animals in the hall belonging to students who do not follow Residential Life and University agreements for their animal will be referred through the behavioral misconduct process.

Violation of Standard #4.12. **Unsanitary Conditions:** Failure to sanitarily maintain one's self or the physical environment of the Creighton University campus including, but not limited to a lack of personal hygiene, failure to properly clean a living space, littering, or improperly disposing of garbage.

Violation of Standard #4.13. **Residence Hall Guest and Visitation Policy** (see [Guide to Living on Campus](#)) – violation of the policies associated with residence hall hours and guest visitation.

Violation of Standard #4.14. **Noise:** Causing, exhibiting, or encouraging noisy or disruptive behavior which interferes with the personal or academic pursuits of others.

Violation of Standard #4.15. **Disorderly or Disruptive Conduct:** Engaging in behavior that disrupts the well-being, educational climate, health, and/or safety of the campus and surrounding communities. This could include, but is not limited to, disorderly, lewd, indecent, or obscene conduct; excessive or prolonged noise; and/or interfering with any normal function of a university-sponsored activity on or off the campus.

## BEHAVIORAL MISCONDUCT PROCEDURES

1. **Preliminary Conferences** - Where there is evidence that a student is in violation of a University Community Standard (except when there is evidence that a student is in violation of the [Non-Discrimination Policy](#), the [Title IX Sexual Harassment Policy](#) or other policies outlined in this handbook. The student will be given the opportunity to discuss the matter with the Office of Community Standards and Wellbeing before the case is either decided with a private decision or referred to a Community Standards Board, a Standards Panel, or the University Committee on Student Discipline.

A student will receive written notification of the alleged violation(s) and a date by which the Preliminary Conference must be held. If a student fails to schedule or attend their Preliminary Conference meeting, an administrative decision will be held in the student's absence.

2. **Hearings** – In cases where a mutually agreeable decision cannot be made, the student will have their case referred and decided by the appropriate hearing board. The behavioral hearing officer reserves that right to refer a student's case to either the University Committee on Student Discipline or a Standards Panel.
  - a. **Right to Private Decision** - The student may have their case decided by an appropriate administrator (including but not limited to the Associate or Assistant Vice Provost for Student Life, Senior Director, Assistant Director of the Office of Community Standards and Wellbeing or Resident Director) when there is mutual consent between the student and the assigned behavioral hearing officer. There is no appeal for this type of decision.
  - b. **University Committee on Student Discipline** typically hears cases where a student status with the University is in jeopardy and could result in suspension or expulsion from the University.
  - c. **Standards Panels** typically hear cases where a student's status could result in Behavioral Probation, Behavioral Reprimand, and other outcomes.

- d. **Community Standards Board** provide appropriate outcomes in matters involving behavioral disciplinary matters where it is anticipated that a student/student organization infraction may result in a warning or behavioral reprimand.
  - e. **Fraternity and Sorority Standards Board** may be granted authority to adjudicate specific types of cases involving Fraternity and Sorority Life organizations. The board may hear certain disciplinary cases involving Fraternity and Sorority Life organizations at the request of the Advisor(s) and with the approval of the Senior Director of the Office of Community Standards and Wellbeing in lieu of a Private Decision. (See Outcomes for Student Organizations on p. 126)
3. **Advisor-** The student or student organization has the right to the assistance of an Advisor, from within the University community, both in the preliminary conference and at the hearing of the University Committee on Student Discipline or a Standards Panel.
- a. Obtaining an Advisor is the student's or student organization's responsibility.
  - b. The student's or student organization's Advisor may not be an attorney, as our process is educational in nature and not based on a litigious or criminal process.
    - An exception to this would be a law student asking for an Advisor from the Creighton Law School, which may be an attorney.
    - An exception to this would be when a student's or student organization's status with the University is in jeopardy (i.e. Behavioral Suspension and Behavioral Expulsion), is subject to an Inherent Authority suspension by the Vice Provost of Student Life, or is subject to a referral to the University Committee on Student Discipline. In these circumstances, the student's or student organization's Advisor may be an attorney.
  - c. The role of the Advisor is to be a support for the student. They assist the student or student organization in navigating and understanding the student behavioral misconduct process.
    - During the hearing, the Advisor may not speak on behalf of the student or speak directly to the panel/committee.
    - If the student or student organization would like to consult their Advisor during the hearing, they may request a break or be placed in a breakout room if the hearing is held via Zoom or another remote platform.
    - Where the Advisor is an attorney, communication with the student's or student organization attorney will be by and through the Office of General Counsel. The Office of the General Counsel will be present during any proceeding where the student's and student organization's attorney is present.
  - d. Additionally, because of the potential of a conflict of interest, the Vice Provost for Student Life or their designee must approve any Division of Student Life staff (including student staff) serving as an Advisor to a student or student organization prior to the Division of Student Life staff member's involvement in the discipline process.
4. **Parent Notification** - If it is anticipated that a student infraction may result in behavioral probation, withdrawal, suspension and/or expulsion, the student's parent(s) may be notified if the student is a dependent of their parent (as defined by the federal government for income tax purposes).
- a. A student's parent(s) may also be notified if it has been determined that a student under the age of 21 has committed a violation of the University policy on drugs and/or alcohol.
5. **Temporary Disposition** - Pending resolution of the matter and any permitted appeal regarding the matter, the student's status as a student remains unaltered except in cases where there are reasons relating to the physical or emotional welfare of the student or of others, or reasons involving the safety of persons or property.
6. **Referral for Prosecution** - Where reasonable cause exists to believe a student has violated local, state or federal criminal laws — and especially where violations of laws relating to unlawful possession, use or

distribution of illicit drugs or alcohol occurred on University property or in the course of any University activities — the matter may be referred to authorities for prosecution.

**7. Anonymity within Hearings** - Anonymity will be granted when:

- there is reasonable cause to believe that the physical or psychological welfare of the witness is in jeopardy; or
- the witness would be subject to harassment

Upon request of the witness, the behavioral hearing officer will thoroughly investigate the incident and make a recommendation on the granting of anonymity to the chairperson of the specific hearing board.

Any statements of an anonymous witness will be given to the respondent student prior to the hearing. The respondent student may then challenge the statement and present questions to be answered by the anonymous person in a manner to be determined by the chairperson of the Committee.

## A. THE UNIVERSITY COMMITTEE ON STUDENT DISCIPLINE

**Purpose** - The purpose of this committee shall be to conduct hearings on alleged violations of University Community Violations and recommend outcomes for individual(s) or group violations to the Vice Provost for Student Life. The hearing is not a formal process such as a civil or criminal trial but an educational endeavor, which deals with alleged disruptive behavior. Discipline in a university, by the very nature of the institution is educational, for that reason, formal rules of evidence shall not apply in disciplinary hearings.

**Membership** - The Committee shall consist of the Vice Provost for Student Life's designee, three faculty members, and three students.

- The Vice Provost for Student Life will appoint the chairperson of the Committee on a case-by-case basis.
- The faculty members shall be elected by the faculty for three-year terms at staggered intervals. These members shall be elected from at least two Schools or Colleges. The faculty shall elect six alternate members for three-year terms at staggered intervals.
- The students shall be selected by the Creighton Students Union for one academic year—one graduate or professional student, one male undergraduate student and one female undergraduate student. Six alternate students shall also be selected for one academic year—two graduate or professional students, two male undergraduate students, and two female undergraduate students.
- When a regular member of the Committee is unable to serve, an alternate member shall be appointed by the Chair to fill the vacancy created.

**Voting** - A quorum of four (4) Committee members, with at least one committee member being a student, is required to hear cases. All issues, findings, or outcomes in a case will be decided by majority vote of the quorum. The Committee's determination shall be made on the basis of whether it is more likely than not that the respondent is responsible for committing the alleged offense.

**Conflict of Interest** – If the case of any student is referred to the Committee with whom any member, including the Chair, has an actual or perceived conflict of interest, that Committee member may be asked by any member, including the Chair, or by any interested party in the case to excuse themselves from the proceedings in question, and/or that member, including the Chair, may ask to excuse themselves from the proceedings in question. Committee members who are excused in accordance with this section shall not have access to any of the materials for the case from which they are excused.

### Procedures of the University Committee on Student Discipline Hearings

The respondent receives advance written notice of the alleged violation(s), time, date, and place of the hearing typically within two working days before the scheduled date/time hearing. The respondent and their advisor will be allowed the opportunity to review and respond to any materials or evidence that will be presented at the hearing.

In addition, the investigative report given to respondent to review includes:

- Summary of Investigation
- Reports submitted to the Office of Community Standards and Wellbeing (University or community reports)
- Evidence or materials associated with investigation; and
- Statement from respondent and, if offered, the impact statement from complainant
- Other evidence from the complainant or respondent must be turned in 24 hours prior to the hearing.
- The hearing packet will be updated and redistributed as necessary when new materials are turned into the investigator.

- The University reserves the right to restrict access to sensitive/confidential information.

### **Complainant and respondent rights and responsibilities**

If there is a complainant associated with the incident, they will be given the same rights as a respondent in the incident, except for any FERPA protected information being sent to them. The following will be detailed to them during the investigation and USCD process.

- They will be able to review materials and evidence that will be presented to the UCSD the hearing 48 hours in advance.
- They must review the materials and evidence in the Student Life Suite.
- The materials and evidence must stay in the Student Life Suite and may not be photocopied or taken outside of the suite.
- Complainants and respondents are required to turn in any materials or information to be considered within a 24-hour period before the UCSD hearing
  - This includes any questions of each other and witnesses

The complainant and respondent are advised prior to the hearing that they may bring another member of the University community with them as an advisor (see Advisor responsibilities), but that each student is expected to present themselves in the hearing.

- The complainant and respondent must notify the chairperson of the Committee at least 24 hours prior to the hearing date if they will be accompanied by an advisor at the hearing.
- Attendance at disciplinary hearings will be limited to the student(s), their advisor, the behavioral hearing officer investigating the alleged misconduct, chairperson, and appointed members of the Committee.
- The complainant and respondent may bring one of their parents or a legal guardian to the hearing. They must notify the behavioral hearing officer or chairperson of the hearing at least 24 hours prior to the hearing date if they will be accompanied by a parent or a legal guardian at the hearing.
  - The parent or legal guardian may only observe at the hearing.
  - They are not allowed to ask questions or make any comments.
  - They are not permitted to act as the complainant or respondent's advisor, nor are they permitted to act as a witness for them.
- Only UCSD committee members should be present during the Committee's deliberations.
- The behavioral hearing officer may be consulted by the Committee when considering outcome(s).

The complainant and respondent have the right to ask questions of each other, but the questions will be written in advance and reviewed by the behavioral hearing officer and chairperson of the Committee at least 24 hours in advance prior to the hearing date.

- If the respondent or complainant have additional questions, it is up to the discretion of the chairperson if further questions will be allowed during the hearing.
- The complainant or respondent may request the privilege of presenting witnesses.
- It is the responsibility of the complainant and respondent to contact their witnesses and request their attendance at the hearing and notify the behavioral hearing officer or the chairperson at least 24 hours prior to the hearing date of the witnesses who will appear.
- The chairperson may also contact witnesses to appear before the Committee.

### **The Committee may ask questions of any witness.**

The respondent has the right to know the names and hear the statements of complainants and witnesses made to the Committee except in situations as described in Procedures Pertaining to Anonymity.

Written or oral statements regarding the alleged violation(s) may be submitted in advance or at the hearing by the respondent, complainant, or witnesses about the circumstances or seriousness of the alleged violation(s).

Written or oral recommendations for outcome(s) regarding the alleged violation(s) may be submitted in advance or at the hearing by the respondent or the complainant.

A recording will be made of each hearing solely for the Committee's use during deliberations and for a possible appeal. No other recordings of the hearing are permitted.

For a detailed outline of the Committee's process go to the [Discipline Process](#)

**\*\*\* As stated above - the student or student organization will receive written notification of the alleged violation(s) and a date when the University Committee Student Discipline hearing is scheduled. If a student fails to schedule or attend the UCSD hearing, the Committee will make a decision in the student's/student organization's absence. If an absence by the student or student organization occurs the decision will be final and will not be eligible for an appeal to the Vice Provost for Student Life.**

## **Decisions of the Committee and Communicating the Decision**

All decisions of the University Committee on Student Discipline are subject to review of the Vice Provost for Student Life. Once reviewed and communicated to the Vice Provost for Student Life, the Committee chairperson or an administrative officer of the University will provide the written decision to the respondent.

### **Administrative Follow-up after the Hearing**

After reaching its decision, the Committee records in writing its findings and outcomes. All members sign this document. On the working day following the hearing the Committee chairperson will make every reasonable effort to communicate the Committee's decision to the respondent.

The respondent will be informed of the decision in a mandatory personal conference held with the chair or an administrative officer of the University. A decision letter from the University Committee on Student Discipline and appeal instructions/procedures are provided to the respondent at that time.

## **Procedures Pertaining to Anonymity in Hearings Before the University Committee on Student Discipline**

Anonymity will be granted when:

- there is reasonable cause to believe that the physical or psychological welfare of the witness is in jeopardy; or
- the witness would be subject to harassment

Upon request of the witness, the behavioral hearing officer will thoroughly investigate the incident and make a recommendation on the granting of anonymity to the chairperson of the Committee.

Any statements of an anonymous witness will be given to the respondent student prior to the hearing. The respondent student may then challenge the statement and present questions to be answered by the anonymous person in a manner to be determined by the chairperson of the Committee.

## Appeal Process for Decisions of the University Committee on Student Discipline

A decision reached by the University Committee on Student Discipline may be appealed by the respondent to the Vice Provost for Student Life. An appeal consists of a review of the written record and supporting documents based only on the grounds set forth below. Any written appeal that does not meet the grounds for appeal will not be considered. It is not the intent or purpose of the appeal process for the Vice Provost for Student Life to rehear the information that was presented to the University Committee on Student Discipline.

The appeal process described in the preceding paragraph, and the grounds for appeal described in the following paragraphs, shall also apply to behavioral misconduct disciplinary matters initially handled by the Academic Dean of a professional school pursuant to delegation to such Dean by the Vice Provost for Student Life.

### Appealing party

The appealing party is responsible for proving one or more of the grounds for appeal:

### Grounds for Appeal

The student may appeal on the following grounds:

- If the disciplinary outcome imposed is disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.
- If the decision is clearly unsubstantiated by the evidence, or
- If new information is presented that was not available during the investigation.
- If the procedures stated within this policy were not followed, which may have affected the outcome of the hearing.

### Filing the Appeal

An appeal shall not be considered to have been filed properly or timely unless it is specific. Appeals must be sufficiently complete that a personal appearance will not be necessary. The appeal must state the grounds of appeal and concrete facts and statements supportive of the stated grounds of appeal.

### Appeal Deadlines and Expectations

1. After receiving the decision of the University Committee on Student Discipline, the appellant will then be permitted up to five (5) working days to prepare and submit a written appeal. The written appeal must cite the specific ground(s) for appeal that the appellant would like the Vice Provost for Student Life to consider and provide an explanation of why, based on these grounds, the decision of the Committee should be reviewed. Any supporting evidence or documentation that was not available at the time of the Committee hearing must be attached to the written appeal. The appeal must be in writing, signed and submitted to the Vice Provost for Student Life in person, by facsimile, or attached to an e-mail from the student's official Creighton e-mail address.
2. **Student Status during Appeal**  
Pending the response to the appeal, the appellant's status as a student will remain unaltered except in cases where there are reasons relating to the emotional or physical welfare of the student or of others, or reasons involving the safety of persons or property. Appellants are not required to complete the outcomes given by the University Committee on Student Discipline until a final decision on the appeal is made by the Vice Provost for Student Life. Outcomes implemented before a student's University Committee on Student Discipline hearing including, but not limited to inherent authority suspension, contact restrictions, and counseling recommendations are in effect between the decision of the University Committee on Student Discipline and the appeal period.

### **Considerations and Determination of the Appeal**

Upon receiving a written appeal from an appellant, the Vice Provost for Student Life will review all materials available to the University Committee on Student Discipline.

- The Office of Community Standards and Wellbeing will provide the Vice Provost for Student Life the case file which includes the investigative report, a copy of the University Committee of Student Discipline decision letter, the recording of the hearing, work product of University representatives (including memoranda and notes that they might generate), and correspondence between University representatives.
- Additionally, the Vice Provost for Student Life may consider an impact statement from the complainant. If the complainant submitted an impact statement to the Office of Community Standards and Wellbeing at the time the complaint was initiated, the impact statement will be provided to the Vice Provost for Student Life.
  - If the complainant has previously submitted an impact statement, the Office of Community Standards and Wellbeing will notify the complainant of the opportunity to submit a supplemental impact statement for consideration.
  - If the complainant has not previously submitted an impact statement, the Office of Community Standards and Wellbeing will notify the complainant of the opportunity to submit an impact statement for consideration.
  - The impact statement or supplemental statement must be submitted within in five (5) working days upon notification of the opportunity.
  - Complainant's statement must be in writing, signed and delivered to the Vice Provost for Student Life in person, by facsimile or by e mail using the complainant's official Creighton e-mail address.

The Vice Provost for Student Life will review and consider all materials submitted as soon as reasonably possible.

### **Burden of Proof**

The burden of proof rests on the appellant who must establish by presenting clear and convincing evidence that the original process or decision was substantially flawed.

### **Actions**

The Vice Provost for Student Life may act specific to individual findings or outcomes

The following actions may be taken by the Vice Provost for Student Life:

- Affirm the finding of responsibility and the outcome imposed by the University Committee on Student Discipline.
  - Affirm the finding of responsibility and amend the outcome(s)
  - Overturn the finding of responsibility
  - Determine if the investigation was flawed and send it back for review to the investigator.
    - If no further evidence or information is gathered it will return to the Vice Provost for Student Life for a decision on the appeal
    - Any further evidence or new information gathered will be reviewed by the University Committee on Student Discipline
- OR
- Determine if the process up to and including the University Committee on Student Discipline hearing was flawed and return the matter to the appropriate stage.

The Vice Provost for Student Life will typically make a determination within five working days upon receiving the written appeal. The Vice Provost for Student Life will provide a written notification of their determination to the appellant. The decision of the Vice Provost for Student Life is final.



## B. STANDARDS PANELS

### **Purpose**

The purpose of this process shall be to conduct hearings on alleged infractions of University rules and provide appropriate outcomes in matters involving behavioral disciplinary matters where it is anticipated that a student infraction may result in any outcome up to and including behavioral probation. The Standards Panel is not a formal process, such as a civil or criminal trial, but an educational endeavor which deals with alleged behavioral misconduct. Discipline in a university, by the very nature of the institution, is educational, for that reason, formal rules of evidence shall not apply in disciplinary hearings.

Standards Panels will occur when a mutually agreeable decision cannot be made between the student and a behavioral hearing officer, but also in cases when the Senior Director of Office of Community Standards determines that a Standards Panel is the best for the student and/or the community.

### **Membership**

The Standards Panel will be composed of one to three staff members (usually from the Division of Student Life) that have been trained to handle student conduct matters. At least one staff member in the Standards Panel must be a member of the Office of Community Standards and Wellbeing. The Senior Director of the Office of Community Standards and Wellbeing will appoint the members of each Standards Panel.

### **Complainant and respondent rights and responsibilities**

If there is a complainant associated with the incident, they will be given the same rights as a respondent in the incident, except for any FERPA protected information being sent to them. The following will be detailed to them during the investigation and Standards Panel process.

- They will be able to review materials and evidence that will be presented to the Standards Panel the hearing 48 hours in advance.
- They must review the materials and evidence in the Student Life Suite.
- The materials and evidence must stay in the Student Life Suite and may not be photocopied or taken outside of the suite.

The complainant and respondent are advised prior to the hearing that they may bring another member of the University community with them as an advisor (see Advisor responsibilities), but that each student is expected to present themselves in the hearing.

- The complainant and respondent must notify the behavioral hearing officer or the chairperson of the Standards Panel at least 24 hours prior to the hearing date if they will be accompanied by an advisor at the hearing.
- Attendance at disciplinary hearings will be limited to the student(s), their advisor, the behavioral hearing officer investigating the alleged misconduct, chairperson, and appointed members of the Standards Panel.
- The complainant and respondent may bring one of their parents or a legal guardian to the hearing. They must notify the behavioral hearing officer or chairperson of the hearing at least 24 hours prior to the hearing date if they will be accompanied by a parent or a legal guardian at the hearing.
  - The parent or legal guardian may only observe at the hearing.
  - They are not allowed to ask questions or make any comments.
  - They are not permitted to act as the complainant or respondent's advisor, nor are they permitted to act as a witness for them.
- Only Standards Panel members should be present during deliberations.
- The behavioral hearing officer may be consulted by the Standards Panel when considering outcome(s).

The complainant and respondent have the right to ask questions of each other, but the questions will be written in advance and reviewed by the behavioral hearing officer and chairperson of the Standards Panel at least 24 hours in advance prior to the hearing date.

- If the respondent or complainant have additional questions, it is up to the discretion of the chairperson if further questions will be allowed during the hearing.

The complainant or respondent may request the privilege of presenting witnesses.

- It is the responsibility of the complainant and respondent to contact their witnesses and request their attendance at the hearing and notify the behavioral hearing officer or the chairperson at least 24 hours prior to the hearing date of the witnesses who will appear.
- The chairperson may also contact witnesses to appear before the Standards Panel.

### **The Standards Panel may ask questions of any witness.**

The respondent has the right to know the names and hear the statements of complainants and witnesses made to the Standards Panel except in situations as described in Procedures Pertaining to Anonymity.

Written or oral statements regarding the alleged violation(s) may be submitted in advance or at the hearing by the respondent, complainant, or witnesses about the circumstances or seriousness of the alleged violation(s).

Written or oral recommendations for outcome(s) regarding the alleged violation(s) may be submitted in advance or at the hearing by the respondent or the complainant.

A recording will be made of each hearing solely for the Standards Panel's use during deliberations and for a possible appeal. No other recordings of the hearing are permitted.

Any decision made by the Standards Panel that includes the outcome of suspension are subject to the approval of the Vice Provost for Student Life. Once approved, the behavioral hearing officer or an administrative officer of the University will give the written decision to the student.

**\*\*\* As stated above - the student or student organization will receive written notification of the alleged violation(s) and a date when the Standards Panel hearing is scheduled. If a student fails to schedule or attend the Standards Panel hearing, the Panel will make a decision in the student's/student organization's absence. If an absence by the student or student organization occurs the decision will be final and will not be eligible for an appeal to the Vice Provost for Student Life.**

### **Procedures Pertaining to Anonymity**

Anonymity of witnesses will be granted a) when there is reasonable cause to believe that the physical or psychological welfare of the witness is in jeopardy; or b) the witness would be subject to harassment. Upon request of the witness, the Office of Community Standards and Wellbeing behavioral hearing officer will thoroughly investigate the incident and make a recommendation on the granting of anonymity, subject to the concurrence and approval of the Senior Director of the Office of Community Standards and Wellbeing. Any statements of an anonymous witness will be given to the respondent student prior to the hearing. The respondent student may then challenge the statement and present questions to be answered by the anonymous person in a manner to be determined by the Office of Community Standards and Wellbeing.

## Grounds for Appeal

### The student may appeal on the following grounds:

- If the disciplinary outcome imposed is disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.
- If the decision is clearly unsubstantiated by the evidence, or
- If new information is presented that was not available during the investigation.
- If the procedures stated within this policy were not followed, which may have affected the outcome of the hearing.

## Filing the Appeal

An appeal shall not be considered to have been filed properly or timely unless it is specific. Letters must be complete enough so that a personal appearance will not be necessary. A letter, which merely lists the grounds of appeal without concern for the individual case at hand, may be dismissed as frivolous.

## Appeal Deadlines and Expectations

- a. After receiving a decision from the Standards Panel, the student will then be permitted up to five (5) working days to prepare and submit a written appeal. The written appeal must cite the specific ground(s) for appeal that the respondent would like the Vice Provost for Student Life or their designee to consider and provide an explanation of why, based on these grounds, the decision of the Standards Panel should be reviewed. Any supporting evidence or documentation that was not available at the time of the Standards Panel must be attached to the written appeal. The appeal must be in writing, signed and submitted to the Vice Provost for Student Life or their designee in person, by facsimile, or attached to an e mail from the student's official Creighton e-mail address.
- b. Student Status during Appeal: Pending the response to the appeal, the student's status as a student will remain unaltered except in cases where there are reasons relating to the emotional or physical welfare of the student or of others, or reasons involving the safety of persons or property. Students are not required to complete the outcomes given by the Standards Panel until a final decision on the appeal is made by the Vice Provost for Student Life or their designee.

## Considerations and Determination of the Appeal

The Vice Provost for Student Life or their designee will make a determination within five (5) working days upon receiving the written appeal. The Vice Provost for Student Life or their designee will provide a written notification of their determination to the appellant. The decision of the Vice Provost for Student Life or their designee is final.

## Burden of Proof

The burden of proof rests on the appellant who must establish by presenting clear and convincing evidence that the original process or decision was substantially flawed.

## Actions

The Vice Provost for Student Life or their designee may act specific to individual findings or outcomes

The following actions may be taken by the Vice Provost for Student Life or their designee:

- Affirm the finding of responsibility and the outcome imposed by the Standards Panel Hearing Board.
- Affirm the finding of responsibility and amend the outcome(s)
- Overturn the finding of responsibility
- Determine if the investigation was flawed and send it back for review to the investigator.
  - If no further evidence or information is gathered it will return to the Vice Provost for Student Life for a decision on the appeal
  - Any further evidence or new information gathered will be reviewed by the Standards Panel Hearing Board.

OR

- Determine if the process up to and including the Standards Panel hearing was flawed and return the matter to the appropriate stage.

The Vice Provost for Student Life will typically make a determination within five working days upon receiving the written appeal. The Vice Provost for Student Life will provide a written notification of their determination to the appellant. The decision of the Vice Provost for Student Life is final.

## C. COMMUNITY STANDARDS BOARD

**Purpose** - The purpose of this Board shall be to conduct hearings on alleged infractions of University rules and provide appropriate outcomes in matters involving behavioral disciplinary matters where it is anticipated that a student/student organization infraction may result in a warning or behavioral reprimand. The hearing is not a formal process, such as a civil or criminal trial, but an educational endeavor, which deals with alleged behavioral misconduct. Discipline in a university, by the very nature of the institution is educational, for that reason, formal rules of evidence shall not apply in disciplinary hearings. In addition, members of the Board will function as a programming board for the Office of Community Standards and Wellbeing. As a programming entity, they will work to promote the Office of Community Standards and Wellbeing's four pillars: Integrity, Dignity, Community, and Development.

**Membership on the Community Standards Board**— All students in good academic and disciplinary standing are eligible to apply to be a member of the board. Members of the Board must be full-time, matriculated students. The general body of the Community Standards Board may consist of up to twelve (12) members selected by the Office of Community Standards and Wellbeing. Members of the Board will be trained in Creighton University disciplinary processes by the Office of Community Standards and Wellbeing. The Office of Community Standards and Wellbeing will appoint and train one member of the Board to serve as the Community Standards Board Adviser. The Board Advisor will work with the Office of Community Standards and Wellbeing to ensure accuracy and fairness in the administration of the disciplinary processes during hearings and will act as a non-voting member of the Community Standards Board.

**Voting** - A quorum of three (3) Board members, and the Board Advisor, is required to hear cases. All issues, findings, and outcome in a case will be decided by majority vote of the quorum. The Board's determination shall be made based on the preponderance of the evidence, or whether it is more likely than not that the accused is responsible for violating the alleged standard of conduct.

### Procedures of Board Hearings

The Community Standards Board will adjudicate low-level, behavioral misconduct of the Creighton University Standards of Conduct, at the discretion of the Office of Community Standards and Wellbeing. The Community Standards Board will determine both responsibility and outcomes for students/student organizations accused of violating Creighton Community Standards. The Community Standards Board cannot suspend or expel students/student organizations. The Community Standards Board can place students/student organizations on Behavioral Reprimand along with other responsibility outcomes. ([See p.125 -126 for outcomes](#))

The responding student(s)/student organization will receive advance written notice of the alleged violation(s) time, date, and place of the hearing. The responding student(s)/student organization and their advisor will be allowed the opportunity to review and respond to any materials or evidence that will be presented at the hearing.

The complainant may review materials, or evidence that will be presented at the hearing 48 hours in advance and must review the materials in the Student Life Suite, Creighton Hall, Room 224. The materials and evidence must stay in the Student Life Suite and may not be photocopied or taken outside of the Suite.

The responding student(s)/student organization is advised prior to the hearing that they may bring another member of the University community with them as an advisor, but that the responding student(s)/student organization is expected to present the case in their own words. The student(s)/student organization must advise the chairperson of the Board at least 24 hours prior to the hearing date and time if they will be accompanied by an advisor at the hearing.

Attendance at disciplinary hearings will be limited to the student(s)/student organization president, their advisor, the Community Standards and Wellbeing conduct officer investigating the alleged misconduct, chairperson, and appointed members of the Community Standards Board. The student may bring one (1) of their parents or a legal guardian to the hearing, and the student should advise the chairperson of the Board at least 24 hours prior to the hearing date if they will be accompanied by a parent or a legal guardian at the hearing. The parent or legal guardian may only observe at the hearing. They are not allowed to ask questions or make any comments. They are not permitted to act as the student's advisor, nor are they permitted to act as a witness for the student. Only Board members, and the Board Adviser are allowed to be present during the Community Standards Board deliberations.

The complainant and respondent have the right to ask questions of each other, but the questions will be written in advance and reviewed by the Conduct officer at least 24 hours in advance prior to the hearing date. If the respondent or accuser has additional questions, it is up to the discretion of the Conduct officer if further questions will be allowed during the hearing.

Any party to the proceedings may request the privilege of presenting witnesses. It is the responsibility of the complainant and responding student(s)/student organization to contact their witnesses and request their attendance at the hearing. The complainant and responding student(s)/student organization must also notify the chairperson of the Committee at least 24 hours prior to the hearing date of the witnesses who will appear, for approval. The chairperson may also contact witnesses to appear before the Board.

**\*\*\* As stated above - the student or student organization will receive written notification of the alleged violation(s) and a date when the Community Standards Board hearing is scheduled. If a student fails to schedule or attend the CSB hearing, the Board will make a decision in the student's/student organization's absence. If an absence by the student or student organization occurs the decision will be final and will not be eligible for an appeal to the Senior Director of Community Standards and Wellbeing.**

### **Procedures Pertaining to Anonymity**

Anonymity of witnesses will be granted a) when there is reasonable cause to believe that the physical or psychological welfare of the witness is in jeopardy; or b) the witness would be subject to harassment. Upon request of the witness, the Office of Community Standards and Wellbeing will thoroughly investigate the incident and make a recommendation on the granting of anonymity, subject to the concurrence and approval of the Senior Director for Community Standards and Wellbeing. Any statements of an anonymous witness will be given to the responding student(s) student prior to the hearing. The responding student(s) student may then challenge the statement and present questions in advance to be answered by the anonymous person in a manner to be determined by Office of Community Standards and Wellbeing.

### **Appealing party**

The appealing party is responsible for proving one or more of the grounds for appeal:

### **Grounds for Appeal**

**The student may appeal on the following grounds:**

- If the disciplinary outcome imposed is disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.
- If the decision is clearly unsubstantiated by the evidence, or

- If new information is presented that was not available during the investigation.
- If the procedures stated within this policy were not followed, which may have affected the outcome of the hearing.

Filing the Appeal - An appeal shall not be considered to have been filed properly or timely unless it is specific. Letters must be complete enough so that a personal appearance will not be necessary. A letter, which merely lists the grounds of appeal without concern for the individual case at hand, may be dismissed as frivolous.

### Appeal Deadlines and Expectations

- a. **Deadline for Intent to Appeal:** If a student chooses to appeal a Community Standards Board decision, they must submit Intent to Appeal within one (1) working day from the date of receiving the Community Standards Board Decision Letter.
- b. **Deadline for Written Appeal:** The student will then be permitted up to five (5) working days to prepare and deliver a written appeal. The written appeal must cite the specific ground(s) for appeal that the responding student(s) would like the Senior Director for Community Standards and Wellbeing to consider and provide an explanation of why, based on these grounds, the decision of the Community Standards Board should be reviewed. Any supporting evidence or documentation that was not available at the time of Community Standards Board hearing must be attached to the written appeal. The written and signed appeal must be submitted to the Senior Director for Community Standards and Wellbeing in person by facsimile or attached to an e-mail from the student's official Creighton e-mail address.
- c. **Student Status during Appeal:** Pending the response to the appeal, the responding student(s)'s status as a student will remain unaltered except in cases where there are reasons relating to the emotional or physical welfare of the student or of others, or reasons involving the safety of persons or property. Students are not required to complete the outcomes given by the Community Standards Board until a final decision on the appeal is made by the Senior Director for Community Standards and Wellbeing.

### Considerations and Determination of the Appeal

Upon receiving a written appeal from a student, the Senior Director for Community Standards and Wellbeing will review all materials available to the Community Standards Board. The staff of the Office of Community Standards and Wellbeing will provide the Senior Director for Community Standards and Wellbeing with the case file which includes the investigative report, a copy of the Integrity Council investigative document, work product of University representatives (including memoranda and notes that they might generate) and correspondence between University representatives.

The Senior Director for Community Standards and Wellbeing will review and consider all materials submitted to them as soon as reasonably possible.

**Burden:** The burden of proof rests on the responding student(s) who must establish, by presenting clear and convincing evidence, that the original process or decision was substantially flawed.

**Action:** The following actions may be taken by the Senior Director for Community Standards and Wellbeing or their designee may act specific to individual findings or outcomes

The following actions may be taken by the Senior Director for Community Standards and Wellbeing or their designee:

- Affirm the finding of responsibility and the outcome imposed by the Community Standards Board Discipline.
- Affirm the finding of responsibility and amend the outcome(s)
- Overturn the finding of responsibility
- Determine if the investigation was flawed and send it back for review to the investigator.

- If no further evidence or information is gathered it will return to the Vice Provost for Student Life for a decision on the appeal
  - Any further evidence or new information gathered will be reviewed by the Community Standards Board
- OR
- Determine if the process up to and including the Community Standards Board hearing was flawed and return the matter to the appropriate stage.

The Senior Director for Community Standards and Wellbeing will provide a written notification of their determination to the appellant. The decision of the Senior Director for Community Standards and Wellbeing is final.

**\*\*\* As stated above - the student or student organization will receive written notification of the alleged violation(s) and a date when the Community Standards Board hearing is scheduled. If a student fails to schedule or attend the CSB hearing, the Board will make a decision in the student's/student organization's absence. If an absence by the student or student organization occurs the decision will be final and will not be eligible for an appeal to the Senior Director of Community Standards and Wellbeing.**

## **DISCIPLINARY OUTCOMES FOR INDIVIDUAL STUDENTS CAN INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:**

### **ACCOUNTABILITY OUTCOMES:**

1. **Expulsion** - The permanent separation of the student from the University. The student will be barred from University premises.
2. **Suspension** - The separation of the student from the University for a specified period of time. The student may not participate in any University sponsored activity and may be barred from University premises. Reinstatement after disciplinary suspension requires the approval of the Vice Provost for Student Life.
3. **Behavioral Probation** - The student will be served notice that their behavior violates the University's Community Standards. The student may be barred from participation in all or designated co-curricular activities and may be subject to other outcomes. The student will be notified that any further violations of University Community Standards will in all likelihood result in suspension or expulsion.
4. **Behavioral Reprimand** - The student is warned that their conduct is in violation of University Community Standards and that further misconduct may be treated more severely.

### **RESPONSIBILITY OUTCOMES:**

5. **Restitution** - The student is required to make payment to the University, other persons, groups, or organizations for damages that result from violations of standards.
6. **Fines** - The student will be required to pay a specified monetary fine to the University within a specified period of time.
7. **Denial of Access or Restriction of Access to a University Building or Facility** - The student will be denied access or allowed only restricted access to a specific building or facility for a stated period of time.
8. **Other Outcomes** - Other outcomes which are intended to engage the student in a positive learning experience related to their inappropriate behavior may be imposed by the University Committee on Student Discipline, Community Standards Board, Fraternity and Sorority Standards Board, or a behavioral hearing officer. These outcomes may include, but are not limited to, engaging in a campus or community service project, attending, or presenting a program related to the misconduct.

In determining outcomes for violations of University Community Standards, the person or entity providing outcomes will consider such factors as attitude of the student; past record, both positive and negative; the severity of the damage, injury, harm, or disruption done or the potential for such; the student's honesty, cooperation, and willingness to make amends; and other factors deemed material. An outcome or a combination of outcomes from among those stated above may be imposed.

## **D. CLUB/ORGANIZATION BEHAVIORAL MISCONDUCT PROCEDURES**

### **Notice to the University**

The University may receive notice of an allegation or potential violation of the Club or Organization Community Standards or other related policies in a number of ways, including, but not limited to:

- The filing of an incident report, Tell Someone report, or EthicsPoint report with the appropriate University department or official, including self-reporting.
- Any Campus Security Authority (CSA) made aware of any potential violation of this or other related policies.
- Any CSA observes any potential violation of this or other related policies.
- Any CSA is aware of a club/organization's climate or culture that may indicate a probability of violations of this or any other related policies.

### **Self-Reporting of Individual Misconduct and Amnesty**

Club/organization leadership is encouraged to immediately report any violations committed by members of the club/organization of the Club and Organization Community Standards or other University policies to the Office of Community Standards and Wellbeing (OCSW) or the Student Leadership and Involvement Center (SLIC). This report should provide a detailed description of the events that transpired, the names of any individuals involved, and a description of any internal disciplinary actions taken by the club/organization.

If the club/organization chooses to self-report behavior in this manner, OCSW will only investigate the individual(s) implicated in the report. Unless information discovered in the investigation suggests that the incident was aided, abetted, sanctioned or organized by the club/organization, the investigation will be limited to the individuals implicated in the self-report and not the club/organization. However, if information is uncovered in the investigation that suggests that the club/organization aided, abetted, sanctioned or organized the event, OCSW may launch a formal investigation of the club/organization.

Students who make a complaint under this policy or who participate in an investigation related to this policy will not be charged with other minor University policy violations that are brought to light in the course of the investigation that arose out of, or were committed as a direct result of, the incident(s) under investigation (i.e. students forced to consume alcohol as part of a hazing incident will not be charged with violations of the University's alcohol policy) as long as those behaviors do not represent a threat to the health, safety or well-being of others. The University reserves the right to follow up with students related to those issues as appropriate in a non-disciplinary fashion.

### **Resolution Options**

Upon notice of a potential violation, the Office of Community Standards and Wellbeing will conduct an initial review of the allegations to determine the legitimacy of the allegations and the applicable resolution options available to address the alleged policy violations. The determination of resolution will include consideration of the following:

- the severity of the alleged violations
- the risk of harm to other persons
- the conduct history of the club/organization
- current status of the club/organization
- any other relevant factors

There are four levels of process associated with resolving alleged violations of this Code: SLIC Decision, Private Decision, Non-hearing board/panel decision, or Hearing Board/Panel Decision. A Preliminary Conference Meeting



will be used when the Private Decision, Non-hearing Board/panel Decision, and Hearing Board/panel Decision are utilized. OCSW may, at any time, determine that a case should be moved from a lower tier to a board/panel decision.

## 1. SLIC Decision Process

In certain cases, the Office of Community Standards and Wellbeing, in reviewing the allegations, may determine that the allegations constitute a violation of policy(ies), and these violations fall under SLIC-specific violations. In these cases, SLIC or OCSW may send an outcomes letter to the club/organization representative and any other appropriate parties outlining the determination, the outcomes, and the rationale for both.

Upon receipt of this letter, the club/organization may do one of the following:

- Accept the determinations and outcomes – in this case, the club/organization will follow the directives outlined in the outcomes letter and the matter will be considered closed once the outcomes are completed. Failure to complete the outcomes may result in additional disciplinary action; or
- Decline to accept the determinations and outcomes – in this case, the matter will be forwarded for formal investigation and adjudication.

The club/organization must notify OCSW of their choice from the above within two (2) business days of receipt of the letter.

In certain cases that might otherwise constitute a SLIC decision, OCSW may determine that a different resolution option is warranted. This determination may be based upon the prior history of the club/organization or its members, the club/organization's current status, any patterns of behavior, or other factors as deemed relevant.

## 2. Preliminary Conference Meeting and Investigation

Upon receiving notice of an alleged violation of the Club and Organization Community Standards or other University Policies involving a club/organization, OCSW, in consultation with the appropriate University departments, will conduct a preliminary assessment to determine if there is a reasonable basis for conducting an investigation into the alleged violations of University Policies. This initial assessment will include a review of the information reported. This may include, but is not limited to:

- interview(s) with the person(s) who made the report.
- review prior conduct history of the club/organization and relevant members.
- gather information that would corroborate elements of the report.
- review of any materials related to the report.

Once a determination has been made that there is evidence that a club/organization is in violation of a University Community Standard (except when there is evidence that a student is in violation of the Harassment, Discrimination, Sexual and Relationship Misconduct Policy #2.1.25) the club/organization representative will be given the opportunity to discuss the matter with the Office of Community Standards and Wellbeing before the case is either decided with a private decision or referred to a Standards Panel, Fraternity or Sorority Standards Board, or the University Committee.

The club/organization will receive written notification of the alleged violation(s) and a date by which the Preliminary Conference must be held. This notification will also be sent to club/organization Advisor(s), any relevant University departments, and if applicable, the club/organization's inter/national governing body. If the student organization representative fails to schedule or attend their Preliminary Conference meeting, a private decision may be made in the organization's absence.

If OCSW determines that no investigation is necessary, the report will be documented, and the case closed. OCSW may, at their discretion, notify the club/organization of the information received and that the matter is closed. In these cases, OCSW may choose, at their discretion, to maintain the confidentiality of any reporting party(ies).

### 3. Hearings

In cases where a mutually agreeable decision cannot be made, the Club or Organization will have their case referred and decided by the appropriate hearing board. The behavioral hearing officer reserves that right to refer a student organization's case to either the University Committee on Student Discipline or a Standards Panel.

- a. **Private Decision** - The student organization may have their case decided by an appropriate administrator (including but not limited to the Associate Vice Provost for Student Life, the Senior Director, or the Assistant Director of the Office of Community Standards and Wellbeing) when there is mutual consent between the club/organization and the assigned behavioral hearing officer. There is no appeal for this type of decision.
- b. **University Committee on Student Discipline** typically hears cases where a club/organization's status with the University is in jeopardy and could result in suspension or expulsion from the University.
- c. **Standards Panels** typically hear cases where a club/organization's status could result in Behavioral Probation, Behavioral Reprimand, Social Probation, and other organizational outcomes.
- d. **Fraternity and Sorority Standards Board** may be granted authority to adjudicate specific types of cases involving Fraternity and Sorority Life organizations. The board may hear certain disciplinary cases involving Fraternity and Sorority Life organizations at the request of the Advisor(s) and with the approval of the Senior Director of the Office of Community Standards and Wellbeing in lieu of a Private Decision. ([See Outcomes for Student Organizations on p. 73](#))

### 4. Formal Investigations and Board/Panel Decision Procedures

If OCSW determines at any point that a formal investigation is necessary, OCSW may assign the case to an investigator(s) [The Vice Provost of the Division of Student Life/Designee may serve as the investigator; however, this would preclude them from serving as a board/panel chair, voting member, or appeal officer.] for a formal investigation. OCSW will notify the club/organization, the club/organization advisor, and other appropriate parties that a formal investigation is being initiated.

During the course of the investigation, the club/organization may request to enter information into the record and may recommend specific witnesses to the investigator. Ultimately, determinations of relevance of information or witnesses will be determined by the investigator.

In completing the investigation, the investigator(s) may:

- Make contact (if possible) with the individual(s) who submitted the initial report.
- Interview any individuals with relevant information.
- Request relevant information from club/organization members (i.e. screenshots of text messages or pictures/videos) and note whether or not club/organization members were compliant in sharing requested information.
- Provide relevant information at any point during the investigation to OCSW related to interim measures.
- Require club/organization members, or a select group of club/organization members (i.e. all new members of the club/organization) to participate in an interview and may restrict communication between club/organization members during the interview (for example, sequestering club/organization members in a room and prohibiting interview participants from using their cell phone or other devices during the interview/sequestration).
- Request students to undergo a physical examination by a campus health center staff member or other appropriate medical professional of the University's choosing and to sign a waiver allowing that medical professional to share a summary of the relevant results of that examination (e.g., physical abuse, BAC, drug usage, etc.). When possible, personally identifying information will be limited or redacted.

Students participating in a formal investigation process are expected to participate in an active, cooperative, and truthful manner. Failing to participate in any fashion, including failure to provide requested information or testimony, may constitute a violation(s) of the Standards of Conduct. Additionally, the investigators will document these failures and the Hearing Officer(s) may make any inferences based on these failures.

At the completion of the investigation, the investigator(s) will provide either a digital or printed copy of the investigation report (with necessary redactions) to the club/organization representative, club/organization advisor, and any other appropriate parties for review and comment. The club/organization must provide any comments related to the investigative report in writing to OCSW within two (2) business days. Upon receipt of these comments (if applicable) OCSW will generate the final report and re-share it with the club/organization representative, advisor and any other appropriate parties in advance of the hearing. OCSW will make the final determination of the relevance of any information gathered during the investigation.

Upon completion and distribution of the final report, OCSW will schedule a meeting with the appropriate club/organization representatives to explain next steps in the adjudication process.

- **Non-Hearing Board Resolution** – The board/panel will review the investigative report in advance, determine findings of responsibility, and determine appropriate outcomes. The club/organization may accept the findings of the investigation and determinations of the board/panel based on the investigation report. If this occurs, the incident will be considered resolved and will not require a board/panel hearing.
  - The board/panel will meet and review the investigation report. During this time they will deliberate, make a finding of responsibility, and assign appropriate outcomes.
  - The board/panel will make determination of responsibility using the preponderance of evidence (more likely than not) standard.
  - The board/panel will notify the club/organization representative of their findings in writing. The club/organization will have three (3) business days to decide whether to accept or reject the proposed findings and outcomes.
  - If the club/organization does not provide a response within 3 business days, it is assumed that they are agreeing with the findings/outcomes.
  - The board/panel will send a formal outcome letter to the club/organization and the case will be closed.
- **Hearing Board Resolution** – The club/organization may choose to not accept the findings of the board/panel and/or assigned outcomes made by the board/panel. If this occurs, the club/organization may choose to go through a formal hearing process in front of the board/panel. Regardless of the hearing body, the club/organization will be given a notice of the time, date, and location of the hearing at least three (3) days in advance of the hearing.
  - **Formal Hearing before appropriate hearing board/panel**
    - The board/panel may elect to call and question witnesses as necessary, including the investigator(s) who compiled the investigative report. The club/organization may question any witnesses called by submitting written questions to the board/panel.
    - The club/organization will be given the opportunity, in person or in writing, to submit or give a statement to the hearing officer and to respond to any information provided by witnesses.
    - The board/panel may question the club/organization representative.
    - The club/organization may bring an advisor of their choosing to the hearing. The club/organization advisor may not speak on behalf of the club/organization, question witnesses, or actively participate in the hearing other than to advise the club/organization representative.
    - The board/panel will make determination of responsibility using the preponderance of evidence (more likely than not) standard.

- The board/panel will send a formal outcome letter to the club/organization and the case will be closed.

### **Advisors in OCSW Processes**

Clubs and organizations have the right to the assistance of an advisor, from within the University community or their designated advisor, both in the preliminary conference and at the hearing of the University Committee on Student Discipline, Standards Panel, or Fraternity and Sorority Standards Board.

- a. Obtaining an advisor is the club/organization's responsibility.
- b. The club/organization's advisor may not be an attorney, as our process is educational in nature and not based on a litigious or criminal process.
  - An exception to this would be a law club/organization asking for an advisor from the Creighton Law School, which may be an attorney.
- c. The role of the Advisor is to be a support for the club/organization. They assist the club/organization in navigating and understanding the student conduct process.
  - During the hearing, the Advisor may not speak on behalf of the club/organization or speak directly to the panel/committee.
  - If the club/organization would like to consult their Advisor during the hearing, they may request a break or be placed in a breakout room if the hearing is held via Zoom or another remote platform.
- d. Additionally, because of the potential of a conflict of interest, the Vice Provost for Student Life or their designee must approve any Division of Student Life staff (including student staff) serving as an advisor to a club/organization prior to the Division of Student Life staff member's involvement in the discipline process.

**International/National Organization Notification** – If it is anticipated that a club/organization's infraction may result in behavioral probation, withdrawal, suspension and/or expulsion, the club/organization's international or national organization may be notified.

**Temporary Disposition** – Pending resolution of the matter and any permitted appeal regarding the matter, the club/organization's status as a club/organization remains unaltered except in cases where there are reasons relating to the physical or emotional welfare of the student or of others, or reasons involving the safety of persons or property.

**Inherent Authority- Interim Measures** – In cases where it is determined that certain continued operations of a club/organization constitute a reasonable threat of harm to individuals, damage of University premises, or disruption to the educational mission of the University, The Vice Provost for the Division of Student Life or designee may issue interim measures, up to and including an interim suspension of all club/organization activities, pending final resolution of the matter. Upon issuance of an interim measure, the Vice Provost or designee will notify the club/organization representative and other appropriate parties in writing.

**Referral for Prosecution** – Where reasonable cause exists to believe a club/organization has violated local, state or federal law — and especially where violations of laws relating to unlawful possession, use or distribution of illicit drugs or alcohol occurred on University property or in the course of any University activities — the matter may be referred to authorities for prosecution.

### **The University Committee on Student Discipline Procedures**

Information related to the purpose, membership, and procedures of the University Committee on Student Discipline can be found [on page 55](#). The outlined procedures apply to club/organizations in the same way that they apply to individual students.

### **Standards Panels Procedures**

Information related to the purpose, membership, and procedures of Standards Panels can be found [on page 59](#). The outlined procedures apply to club/organizations in the same way that they apply to individual students.

### **Procedures Pertaining to Anonymity in Hearings**

Information related to the anonymity in hearings can be found [on page 54](#). The outlined procedures apply to club/organization in the same way that they apply to individual students.

## **5. Appeals**

### **Appealing party**

The appealing party is responsible for proving one or more of the grounds for appeal:

### **Grounds for Appeal**

**The student may appeal on the following grounds:**

- If the disciplinary outcome imposed is disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.
- If the decision is clearly unsubstantiated by the evidence, or
- If new information is presented that was not available during the investigation.
- If the procedures stated within this policy were not followed, which may have affected the outcome of the hearing.

### **Actions**

The following actions may be taken by the Vice Provost for Student Life or their designee:

- Affirm the finding of responsibility and the outcome imposed by the Standards Panel Hearing Board.
- Affirm the finding of responsibility and amend the outcome(s)
- Overturn the finding of responsibility
- Determine if the investigation was flawed and send it back for review to the investigator.
  - If no further evidence or information is gathered it will return to the Vice Provost for Student Life for a decision on the appeal
- Any further evidence or new information gathered will be reviewed by the Standards Panel Hearing Board .
  - OR
- Determine if the process up to and including the Standards Panel hearing was flawed and return the matter to the appropriate stage.

The Vice Provost for Student Life will typically make a determination within five working days upon receiving the written appeal. The Vice Provost for Student Life will provide a written notification of their determination to the appellant. The decision of the Vice Provost for Student Life is final.

### **Filing the Appeal**

For full details and instructions related to appeal procedures, please refer to page XX. The outlined procedures apply to club/organizations in the same way that they apply to individual students.

## E. FRATERNITY AND SORORITY LIFE STANDARDS BOARD

**Purpose:** The Fraternity and Sorority Life Standards Board is approved by the Vice Provost for Student Life and may be granted authority to adjudicate specific types of cases involving Fraternity and Sorority Life organizations. The Board is advised by the Assistant Director for Fraternity and Sorority Life, and the Assistant Director of Community Standards and Wellbeing. The board may hear certain disciplinary cases involving Fraternity and Sorority Life organizations at the request of the Advisor(s) and with the approval of the Senior Director of the Office of Community Standards and Wellbeing in lieu of a Private Decision. The Fraternity and Sorority Life organization retains the right of a Preliminary Conference meeting in advance of a hearing before the Fraternity and Sorority Life Standards Board.

**Members:** The Fraternity and Sorority Life Standards Board consists of representatives from the Panhellenic Council chapters, the Interfraternity Council chapters, and the Culturally Based Fraternal organizations (only if applications are received from these organizations). In addition, the Vice President of Judicial Affairs for the Interfraternity Council, the Vice President of Administration and Judicial Affairs for the Culturally Based Fraternity Council and the Vice President of Judicial Affairs for the Panhellenic Council will co-chair the Fraternity and Sorority Life Standards Board. The Assistant Director for Fraternity and Sorority Life and the Assistant Director of Community Standards and Wellbeing serve as non-voting advisors on the board.

**Voting and Procedures:** In the event of a hearing, five members from the Fraternity and Sorority Life Standards Board will be selected to hear the case and vote.

**Non-recruitment hearing:** For all cases that do not involve recruitment infractions, the voting members will be of varying genders and fraternity and sorority affiliations. The Vice President of Judicial Affairs for the Panhellenic Council will lead the hearing for a case involving a fraternity and the Vice President of the Interfraternity Council will lead the hearing for a sorority.

**Recruitment-related hearing:** These cases will be handled by the procedures outlined in their respective council bylaws.

The Assistant Director for Fraternity and Sorority and the Assistant Director of Community Standards and Wellbeing will be present during hearings. As stated previously, they are non-voting advisors.

The responding organization receives advance written notice of the alleged violations, time, date, and place of the hearing typically within 72 hours of the hearing date/time. The President will be expected to represent the organization unless approval is granted by the Office of Community Standards or Wellbeing. The organization and their advisor will be allowed the opportunity to review and respond to any materials or evidence that will be presented at the hearing.

In addition, the investigative report given to the responding organization to review includes:

1. Summary of Investigation.
2. Reports submitted to the Office of Community Standards and Wellbeing (University or community reports);
3. Evidence or materials associated with investigation; and
4. Statement from responding organization and, if offered, the impact statement from complainant.

If there is a complainant associated with the incident, he or she may review materials and evidence that will be presented at the hearing 48 hours in advance and must review the materials and evidence only in the Student Life Suite, Creighton Hall, Room 224. The materials and evidence must stay in the Student Life Office and may not be photocopied or taken outside of the Office.

The responding organization is advised prior to the hearing that they may bring another member of the University community with them as an advisor but that the organization is expected to present the case in their own words.

1. The organization should advise the chairperson of the Committee at least 24 hours prior to the hearing date if they will be accompanied by an advisor at the hearing. The organization's advisor may not be a lawyer and must be on file with the Student Leadership & Involvement Center.
2. Any party to the proceedings may request the privilege of presenting witnesses. It is the responsibility of the responding organization to contact their witnesses and request their attendance at the hearing and notify the Office of Community Standards and Wellbeing hearing officer at least 24 hours prior to the hearing date of the witnesses who will appear. The chairperson or the Office of Community Standards and Wellbeing hearing officer may also contact witnesses to appear before the Committee.
3. The voting members of the Fraternity and Sorority Life Standards Board may ask questions of any witness.
4. The responding organization has the right to know the names and hear the statements of complainants and witnesses made to the Committee except in situations as described in Procedures Pertaining to Anonymity.
5. Written or oral statements regarding the alleged violation(s) may be submitted in advance or at the hearing by the responding organization, complainant, or witnesses about the circumstances or seriousness of the alleged violation(s).
6. Written or oral recommendations for outcome(s) regarding the alleged violation(s) may be submitted in advance or at the hearing by the responding organization or the complainant.
7. A recording will be made of each hearing solely for the Committee's use during deliberations and for a possible appeal. No other recordings of the hearing are permitted.

### **Procedures Pertaining to Anonymity in Fraternity and Sorority Standards Board Cases**

Anonymity of witnesses will be granted a) when there is reasonable cause to believe that the physical or psychological welfare of the witness is in jeopardy; or b) the witness would be subject to harassment. Upon request of the witness, the Office of Community Standards and Wellbeing behavioral misconduct officer will thoroughly investigate the incident and make a recommendation on the granting of anonymity, subject to the concurrence and approval of the Vice Provost for Student Life. Any statements of an anonymous witness will be given to the respondent student prior to the hearing. The respondent student may then challenge the statement and present questions to be answered by the anonymous person in a manner to be determined by the Office of Community Standards and Wellbeing.

### **Appeal Procedures for Fraternity and Sorority Life Standards Board**

#### **Appealing party**

The appealing party is responsible for proving one or more of the grounds for appeal:

#### **Grounds for Appeal**

**The student may appeal on the following grounds:**

- If the disciplinary outcome imposed is disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.
- If the decision is clearly unsubstantiated by the evidence, or
- If new information is presented that was not available during the investigation.
- If the procedures stated within this policy were not followed, which may have affected the outcome of the hearing.

**Filing the Appeal** - An appeal shall not be considered to have been filed properly or timely unless it is specific. Letters must be complete enough so that a personal appearance will not be necessary. A letter, which merely lists the grounds of appeal without concern for the individual case at hand, may be dismissed as frivolous.

### **Appeal Deadlines and Expectations**

After receiving the decision of the Fraternity and Sorority Life Standards Board, the organization will then be permitted up to five (5) working days to prepare and submit a written appeal. The written appeal must cite the specific ground(s) for appeal that the accused would like the Vice Provost for Student Life to consider and provide an explanation of why, based on these grounds, the decision of the Board should be reviewed. Any supporting evidence or documentation that was not available at the time of the Board hearing must be attached to the written appeal. The appeal must be in writing, signed by the president, and submitted to the Vice Provost for Student Life in person, by fax, or attached to an e-mail from the student's official Creighton e-mail address.

### **Organization's Status During Appeal:**

Pending the response to the appeal, the status of the accused organization as a registered organization will remain unaltered except in cases where there are reasons relating to the emotional or physical welfare of the student or of others, or reasons involving the safety of persons or property. Organizations are not required to complete the outcomes given by the Fraternity and Sorority Life Standards Board until a final decision on the appeal is made by the Vice Provost for Student Life.

### **Considerations and Determination of the Appeal**

Upon receiving a written appeal from a student, the Vice Provost for Student Life, or their designee will review all materials available to the Fraternity and Sorority Life Standards Board. The Office of Community Standards and Wellbeing will provide the Vice Provost for Student Life or their designee with the case file, which includes the investigative report, a copy of the Fraternity and Sorority Life Standards Board investigative document, work product of University representatives (including memoranda and notes that they might generate), and correspondence between University representatives.

The Vice Provost for Student Life or their designee will review and consider all materials submitted as soon as reasonably possible.

**Burden:** The burden of proof rests on the accused organization who must establish by presenting clear and convincing evidence that the original process or decision was substantially flawed.

**Action:** The following actions may be taken by the Vice Provost for Student Life or their designee:

The Vice Provost for Student Life may act specific to individual findings or outcomes

The following actions may be taken by the Vice Provost for Student Life:

- Affirm the finding of responsibility and the outcome imposed by the Fraternity and Sorority Life Standards Board.
- Affirm the finding of responsibility and amend the outcome(s)
- Overturn the finding of responsibility
- Determine if the investigation was flawed and send it back for review to the investigator.
  - If no further evidence or information is gathered it will return to the Vice Provost for Student Life for a decision on the appeal
- Any further evidence or new information gathered will be reviewed by the Fraternity and Sorority Life Standards Board.  
OR
- Determine if the process up to and including the Fraternity and Sorority Life Standards Board hearing was flawed and return the matter to the appropriate stage.



The Vice Provost for Student Life will typically make a determination within five working days upon receiving the written appeal. The Vice Provost for Student Life will provide a written notification of their determination to the appellant. The decision of the Vice Provost for Student Life is final.

## **DISCIPLINARY OUTCOMES** **FOR STUDENT ORGANIZATIONS –** **CAN INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:**

### **Accountability Outcomes:**

1. **Expulsion** - The permanent separation of the student organization from the University. The student organization will be barred from University premises.
2. **Suspension** - The separation of the student organization from the University for a specified period of time. The student organization may not participate in any University sponsored activity, will not be considered a University registered organization, may not receive University funds, and may be barred from University premises. Reinstatement after disciplinary suspension requires the approval of the Vice Provost for Student Life.
9. **Behavioral Probation** - The student organization will be served notice that its behavior violates the University's Community Standards. The organization may be barred from participation in all or designated co-curricular activities and may be subject to other outcomes. The organization will be notified that any further violations of University Community Standards will in all likelihood result in suspension or expulsion.
10. **Social Probation** – The student organization will be served notice that the behavior of its membership violates the University's Community Standards. The group is restricted from planning and/or participating in social activities and may be subject to other outcomes. The organization will be notified that any further violations of University Community Standards will in all likelihood result in the suspension or expulsion of the organization.
11. **Behavioral Reprimand** - The student organization is warned that its conduct is in violation of University Community Standards and that further misconduct may be treated more severely.

### **Responsibility Outcomes:**

12. **Restitution** - The student organization is required to make payment to the University, other persons, groups, or organizations for damages that result from violations of standards.
13. **Fines** - The student organization will be required to pay a specified monetary fine to the University within a specified period of time.
14. **Denial of Access or Restriction of Access to a University Building or Facility** - The student organization will be denied access or allowed only restricted access to a specific building or facility for a stated period of time.
15. **Alcohol Restriction** – The student organization is to have only alcohol-free social events (including, but not limited to, member education events, retreats, member development events, date parties, formals, and social events) during the specified time period. Any violations that involve alcohol that result out of an event that is to be alcohol free will be in violation of this Alcohol Restriction outcome.
16. **Other Outcomes** - Other outcomes which are intended to engage the student organization in a positive learning experience related to the organization's inappropriate behavior may be imposed by the University Committee on Student Discipline, Community Standards Board, Fraternity and Sorority Standards Board, or a behavioral hearing officer. These outcomes may include, but are not limited to, engaging in a campus or community service project, attending, or presenting a program related to implications of the organization's conduct, or review of the organization's membership.

In determining outcomes for violations of University Community Standards, the person or entity providing outcomes will consider such factors as attitude of the organization's officers; past record, both positive and negative; the severity of the damage, injury, harm, or disruption done or the potential for such; the organization's

honesty, cooperation, and willingness to make amends; and other factors deemed material. An outcome or a combination of outcomes from among those stated above may be imposed.

## F. GLOSSARY OF TERMS

### Advisor

- **Hearing Advisor** – A Creighton University staff member, faculty member, or attorney selected by a student or club/organization to support them through the Community Standards process. Review the full requirements of an Advisor in the Behavioral Misconduct section above.
- **Club or Organization Advisor** – Any individual designated by a club/organization as their Advisor. If there is no club/organization Advisor designated by the club/organization, the institution may choose a designee.

**Appeal Officer** – An appeal officer is the person(s) or bodies designated by the Vice Provost for the Division of Student Life to hear appeals of findings associated with a hearing resolution process, or any assigned outcomes, or both, regardless of process. The appeal officer must not be the person who investigated the case and must not have been involved in the adjudication of the case.

**Campus Security Authority** – A Responsible Employee is any person employed by the University (in a full or part-time capacity) who:

- Has the authority to take action to address any violation of policy; or
- Has the duty to report any type of misconduct to appropriate officials; or
- Is someone a student could reasonably believe has this authority or responsibility.

**Club or Organization Representative** – The University will generally direct communication to the student on file with the University as the elected/appointed leader of the RSCO (i.e. president or team captain). However, the RSCO may choose any student member to serve as the official representative of the RSCO at any time during the process as outlined in this Code. If the individual designated is no longer eligible to serve in that role (e.g. the student withdraws from the University or is no longer a member of the RSCO) or if the RSCO dissolves prior to or during the investigation/adjudication process as outlined in this Code, the University may designate a RSCO representative of their choosing.

**Complainant** – The individual who makes a complaint or who initiates a report or investigation. Typically, this individual was impacted or harmed in some way by the actions of the respondent.

**Hearing Officer** – A hearing officer is the individual(s) assigned to a conduct case by OCSW. The hearing officer will be a neutral and objective decision-maker properly trained to facilitate Creighton University's Community Standards processes. The hearing officer may not be involved in the appeal process.

**Inherent Authority** – An interim suspension of an individual student or student organization by the Vice Provost for Student Life at their discretion. This status/determination is used when health and safety issues/incidents occur on or off-campus.

**Inter/National Organizational Governing Body** – Any known or designated association or body affiliated with any club or organization. Examples may include national headquarters of Fraternity and Sorority Life-letter organizations, national governing bodies of sports organizations, national honor societies, etc.

**Outcome** – Requirement(s) for the respondent student to complete following the resolution of their conduct case.

**Preponderance of the Evidence** – Standard of proof required to find a student responsible for a policy violation, i.e. the evidence demonstrates that it is more likely than not that the conduct occurred.

**Respondent** – The student which allegedly violated Creighton University community standards.

**Student Club or Organization** – Any group that has been recognized by the University as a club or organization or has applied for such recognition. This would include, but is not limited to, unchartered provisional chapters/interest groups.

**Sponsored event** – Sponsored events, whether on or off-campus, include, but are not limited to:

- Any event that the club/organization registers with the University or otherwise notifies the University that it is sponsoring/hosting
- Any event that meets the criteria of an event that should be registered with the University or that the club/organization should have otherwise notified the University
- Any event that the University determines may qualify as a sponsored event based on, but not limited to, the following factors: the nature of the event, the number of club/organization members in attendance at the event, the level of organization/advertising undertaken by members of the club/organization, etc.

**Witness** – Individual(s) who were present when the incident occurred or have relevant knowledge of the event that occurred.

- Character witnesses are not permitted.